



# An Eventful Time for the BI-BRI!

The Builders Institute (BI)/Building and Realty Institute (BRI) recently concluded a busy stretch of being involved in more than 25 noteworthy events. Whether through

the sponsorship of meetings and seminars for its members - or through representing the building, realty and construction sector at industry and business events

- association members, and the BI-BRI staff, were kept extremely busy from April through August. **Full reports and photos on those activities are on pages 8 and 9.**



# Impact

JULY/AUGUST 2016 VOL. 15 NO. 3

Serving Westchester and the Mid-Hudson Region

News for the  
Building and Realty  
Industry

70 Years of  
Providing Knowledge  
to the Building Community



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## A Temporary Barricade to the Building Industry?

# Ossining Calls a "Time-Out" to all Housing and Commercial Growth

### An Impact Consultant Staff Report/Analysis

ARMONK

**O**n Jun. 7, 2016, the Town of Ossining adopted a law which established a four-month moratorium on the review and approval of any zoning, subdivision or variance application.

There are several minor exceptions provided in the law and there is also a detailed procedure for the consideration of a hardship variance. The law does permit applicants to have a maximum of two informal conferences with a board during the moratorium period.

The stated purpose of the moratorium is a determination by the Town Board that its Comprehensive Plan identified certain planning and zoning issues that are not adequately analyzed and addressed in the Town's Code.

It identified these as: the zoning in certain areas; bulk and use requirements in certain zones; and certain definitions in the Zoning Code. The Town Board entered into an agreement with the F. P. Clark planning firm to provide an analysis and, presumably, recommendations with respect to the identified areas of concern.

Following the Clark firm studies, the Town Board

committed itself to a consideration of whether it would be appropriate to enact any laws to address the identified issues.

The enactment of this type of moratorium is permitted under state law, provided it is for a valid defined purpose and for a specific time period. It can only be enacted after a Public Hearing, preceded by a Public Notice. The Town of Ossining, thus far, appears to have properly followed this process. It has, in recent years, been a process followed by a number of municipalities. Recently, the Village of Larchmont has also adopted a similar law.

### What Builders & Property Owners Need to Know

Certainly builders and/or property owners can and should appear at the very initial Public Hearings on the prospect for a moratorium and provide comments on the need, proposed process, what is to be considered during the moratorium period and any reasons why their particular applications should be exempt.

Generally, the latter will only receive a favorable reaction, if the particular application has no relationship to the issues proposed to be studied during the moratorium period and the project is not locally controversial.

A party potentially affected by the moratorium could consider litigation to overturn the law if it

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## Industry Analysis & Commentary:

# Of Horses and Affordable Housing

### How Lewisboro Couldn't Escape a Failing Grade by the Federal Monitor

ARMONK

**I**n 2003, Westchester County gave the Town of Lewisboro \$1 million to help purchase more than 100 acres of meadow property for open space.

At that time, the Inter-Municipal Agreement (IMA) between the county and the town (dated July 17, 2003) required the town to make good-faith efforts to meet the goal for affordable/workforce housing as specified in the County Housing Allocation Plan (HAP), or the number of units in any updated HAP.

The Housing Allocation Plan in 2003 (updated over a previous goal for Lewisboro of 121 afford-

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## In the Wake of "Amanda's Law" UnCOmpromising Vigilance Essential When it COmes to Carbon Monoxide

ARMONK

**C**arbon Monoxide, otherwise known by its deadly monogram CO, is the leading cause of accidental poisoning deaths in the United States.

Accidental CO poisoning kills over 400 people each year and severely injures another 20,000 persons. Known as "the Silent Killer," it is undetectable by sight, smell or other human faculty. The only means of knowing its presence is through the proper placement and installation of electronic CO alarms.

New York State got seriously into the detection of CO in 2010, with the passage of "Amanda's Law," legislation named in remembrance of Buffalo resident Amanda Hansen, a teenager who succumbed to CO poisoning from a defective boiler while sleeping at a friend's house in January, 2009.

While the winter season is when most incidents of CO poisoning incidents happen, CO is generated anytime any fuel is burned, anytime there is combustion, from pilot-lights to car exhaust.

### Amanda's Law Provided the Foundation for Smart CO Detec- tion:

CO alarms must be installed in all new and existing 1- and 2- family dwellings, multifamily dwellings and all rentals having a fuel-burning appliance, system or attached garage.

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# Awareness, Alertness, Action: Homeland Security Threats the Focus of BRI's September 15 General Membership Meeting

An Impact Staff Report

WHITE PLAINS

**W**e are coming up on the 15th Anniversary of the Sep. 11th attacks on the United States and the long, somber shadow and scar of that horrific tragedy remains deeply seared in the national memory.

Since 2001, the pervasiveness of terrorism and security-breaches world-wide is increasing at a geometric rate. It is not only a case of multiplying acts of violent terrorism, it includes the full, insidious spectrum of the highest-tech hacking, infiltration, theft and sabotage of bank accounts, retirement funds, airline computer systems, personal identities, water works, electric utilities, U.S. Census Bureau records, Department of Defense computers, even the FBI and the White House websites, to name but a few examples.

According to New York State's own Division of Homeland Security and Emergency Services' Counter Terrorism office, "anyone can become a victim of this activity." The threats exist not just from international sources, but "home-grown," as well.

"With this harsh reality facing us every day, after conferring with our President,

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# Insurance Insights

by Ken Furst and Jason Schiciano  
Levitt-Furst Associates



## The “Scaffold Law” – Only In New York!

TARRYTOWN

Last week I (Ken Furst) was interviewed for 914INC, Westchester Magazine. The publication was writing an article on the abuses of New York Labor Law 240/241, also known as the “Scaffold Law.”

During the interview, I commented that Levitt-Furst has been supporting reform of this law for the last 10 years, while the abuse of the law by workers claiming injuries, and plaintiff attorneys, has only continued to grow. New York remains the only state with this type of law.

Here are some key aspects of the law that help explain why the liability insurance rates for contractors in New York are up to four times higher than premiums in other states.

Workers Compensation was created to help the injured employee. It pays for all medical costs the injured employee incurs from the worksite accident, and it pays the employee for lost compensation while unable to work, due to the injury. There are additional significant lump sum payments to seriously injured workers.

Workers Compensation was created to avoid the need for injured employees to have to sue their employers to collect these benefits. It eliminated the inefficiency of having to hire an attorney to prove employer negligence. By cutting-out lawsuits, Workers Compensation efficiently takes care of the injured employee.

Employers are incentivized by the Workers Compensation System to make their jobsites as safe as possible. For a contractor, insurance cost is one of the highest overhead items. Workers Compensation Insurance Premiums directly correlate to the effectiveness of safety practices within the contractor's organization. A contractor that chooses to run an unsafe worksite will see its insurance premiums escalate, due to claims.

The current abuses of the system were created over the last 10-15 years as more and more attorneys in New York realized there was a “loop-hole” that allowed an employee to sue for injuries on a jobsite when the accident was height-related. When Subcontractor employees are injured, instead of suing their employer, which is prohibited due to the existence of

Workers Compensation, they utilize the “Scaffold Law” to sue the building owner, or the General Contractor that hired the Subcontractor.

New York attorneys have pushed the envelope of the definition of “heights” to include: a hammer falling off a ladder, a worker falling into a hole, even an injury from stepping off a stool. And, many judges and juries have supported the broader interpretation.

What makes the abuse of this law even worse is that there is no defense. Labor Law 240/241 creates Absolute Liability on the building owner or General Contractor. Even if the employee is at fault, there is absolutely no defense!

There is no reason to allow this to continue. There is no evidence that this law has made New York a safer place to work. The only evidence is that the “Scaffold Law” makes

**“There is no reason to allow this to continue. There is no evidence that this law has made New York a safer place to work. The only evidence is that the ‘Scaffold Law’ makes New York a more expensive place for contractors to do business, which ultimately increases the costs of living and doing business, for everyone in this state.”**

New York a more expensive place for contractors to do business, which ultimately increases the costs of living and doing business, for everyone in this state.

Get involved and learn more at [www.scaffoldlaw.org](http://www.scaffoldlaw.org). For more information on the proper insurance to defend against Scaffold Law claims, call your insurance broker, or Levitt-Furst Associates, at (914) 457-4200.

**Editor’s Note: Levitt-Furst Associates is the Insurance Manager for The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and The Mid-Hudson Region. The firm can be reached at (914) 457-4200.**



From the Editor’s Desk

## Hanley’s Highlights

by Jeff Hanley

Associate Director, Building and Realty Institute (BRI), *Impact* Editor

## Reviewing a Diverse List of Industry Issues

ARMONK

**One of the many happy memories from my childhood days in Rye are the summer trips to the former Baskin Robbins Ice Cream Parlor on the southern corner of the city’s main thoroughfare, Purchase Street.**

The excitement would always grow as I approached the store and its diverse menu of “51 flavors” to choose from. And that journey to the parlor always produced the same question - where on the menu do I look first?

Readers of this issue of *Impact* will probably face that same query. The reports in this edition are quite diverse, as well as informative and noteworthy. And they touch on many issues affecting the building, realty and construction industry.

Those articles include:

- A Centerspread Photo Montage on the many meetings, seminars and social events involving the membership of the Building and Realty Institute (BRI), as well as its staff.
- A Page One report on the need for aggressive and thorough preparation when it comes to all components of the dangers of Carbon Monoxide. The article offers helpful tips for all members of the building, realty and construction industry.
- An *Impact* Consultant/Staff Report and Analysis on the Town of Ossining recently adopting a law which established a four-month moratorium on the review and approval of any zoning, subdivision or variance applications. The Page One analysis reviews all aspects of the action and its effects on town’s housing and commercial arenas.

- An analysis in Insurance Insights on the many negatives of New York State’s “Scaffold Law.” The report was written by Ken Furst and Jason Schiciano of Levitt-Furst Associates. Levitt-Furst is the insurance manager for the BRI and its affiliate organizations.

- An article on the Sep. 15 General Membership Meeting of the BRI. The Page One report issues a thorough review of the content of the program, which is scheduled to begin at 6:30 p.m. The conference will be at The Crowne Plaza Hotel in White Plains.

- Summaries from The National Association of Home Builders (NAHB) on current trends affecting the development and home building sectors.

- A report on how owners, co-op and condo boards and managers of residential and commercial properties need to prepare for the possibilities of natural disasters. The summary was written by Stuart Bethel, a former director of emergency services for The American Red Cross in Westchester County.

- An update on the positive reaction to the BRI’s Inaugural Vendor Showcase. The showcase, scheduled for Oct. 13 (from 6 p.m. to 10 p.m. at the Crowne Plaza Hotel in White Plains), has drawn great interest from the BRI’s membership, as well as many sectors of the building, realty and construction industry. The showcase is also cited in Co-op and Condo Corner. Diana Virrill, chair of The Cooperative and Condominium Advisory Council (CCAC), wrote that analysis. Virrill highlights the many attractive components of the event to boards of co-ops and condos, residents, and property managers of those facilities.

Continued on p. 7

## Co-op and Condo Corner



By Diana Virrill, Chair

The Cooperative and Condominium Advisory Council (CCAC)

## Attention Boards of Directors of Co-ops and Condos: Don’t Miss the Oct. 13 Vendor Showcase of the Building and Realty Institute (BRI)!

WHITE PLAINS

The Cooperative and Condominium Advisory Council (CCAC) is well-known for its Membership Meetings and Seminars.

Those events provide members of Boards of Directors of co-ops and condos – as well as property managers of those facilities – with informative and educational programs on key topics. The meetings are a valuable and important component of membership in the CCAC.

Being a member of the CCAC allows access to all of the events of our affiliate organization, The Building and Realty Institute (BRI). One such event is quickly approaching – the Oct. 13 Vendor Showcase of the BRI.

The showcase, scheduled to run from 6 p.m. to 10 p.m. at The Crowne Plaza Hotel in White Plains, will feature representatives of virtually every sector of the building, realty and construction industry. Accordingly, members of Board of Directors of co-ops and condos who attend the show will have direct access to a series of companies who can help with the daily operations of their respective facilities.

Examples of the companies who will exhibit at the event are:

- ◆ Builders
- ◆ Remodelers
- ◆ Contractors and Sub-Contractors
- ◆ Service Firms and Professionals Who Serve Residential Buildings and Complexes
- ◆ Property Managers of Residential and Commercial Buildings and Complexes

And there is more. The showcase will also feature Break-Out Presentations and Workshops that will deal with issues affecting the realty sector.

Simply put, it is an event well-worth attending. Imagine having a series of service firms and professionals who can assist your building and/or complex all in one place! Those attending can meet with those firms and directly discuss issues affecting their respective co-ops or condos. The fee for those attending, you ask? There is none. Attendance is absolutely free! And a buffet dinner is included.

Advance Reservations for the showcase are mandatory. CCAC/BRI members - or members of the general public, who are also welcome to attend at no charge - can confirm their attendance to [maggie@buildersinstitute.org](mailto:maggie@buildersinstitute.org), or to [jeff@buildersinstitute.org](mailto:jeff@buildersinstitute.org). Reservations are also being accepted at (914) 273-0730.

As of late August, a total of 30 exhibitors have reserved for the showcase. They are eager to speak with you and members of your respective boards. Accordingly, we hope to see you at this program on Oct. 13 at the Crowne Plaza Hotel!

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News for the  
Building and Realty  
Industries

## Impact

PUBLISHER: Albert A. Annunziata  
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SUBSCRIPTION is \$20 per year, included in membership dues.

IMPACT (USPS 259-900) is published bi-monthly by The Builders Institute/Building and Realty Institute. Periodicals Postage Pending at Armonk, NY.

POSTMASTER: Send address changes to IMPACT, 80 Business Park Drive, Suite 309, Armonk, NY 10504.



The Builders Institute (BI)/  
Building and Realty Institute (BRI)  
*Welcomes* its Newest Members

Allstate Sprinkler Corporation  
Berkshire Hathaway HS Westchester Properties  
Cel Tech Services, Inc.  
Crown Janitorial Products  
Evergreen Builders and Construction Services Inc.  
Go Visible!  
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Metropolitan Risk Advisory  
NYC Site Safety Services, LLC  
NYCONN Services, Inc.  
Richard Zuckerman, CPA  
Roto-Rooter Services Company of Westchester  
Salamone Services, Inc.  
Tri State Maintenance Restoration Corporation

***“The BRI is an amazing networking opportunity where real estate professionals from all areas of expertise can come together and share their experiences and knowledge of the field. During any one of their informative meetings throughout the year you have the opportunity to meet someone new and potentially develop a positive business relationship. Everyone in the BRI is willing to help by introducing you to their colleagues and friends and they are always willing to share an educational story with you to help you learn and grow as a business professional.”***

— **ERIC EGGERT**, Mackoul & Associates, Inc.

***“Impact has a great team of knowledgeable professionals who keep people informed on important, accurate and up to date changes on vital regulatory matters and issues, as well as in-depth news on virtually all other matters affecting our industry. It is simply an invaluable resource.”***

— **SUZANNE BOGDANOFF**, Montrose Management, a longtime member of the Apartment Owners Advisory Council (AOAC) of The Building and Realty Institute (BRI).

Co-op and Condo Corner, Continued from p. 2

Additional Thoughts

On other matters related to the CCAC membership, please note that the date and topic of our next Membership Meeting will soon be announced. The Board of Directors of the CCAC is considering a series of topics for the program. Watch your mail. You will soon see a notice.

On a related note, please let us know if you have any suggestions for future Membership Meetings of the CCAC. We would love to hear your thoughts. You can contact Jeff Hanley, our Associate Executive Director, at (914) 273-0730 with your suggestions. Or, feel free to e-mail Jeff through [jeff@buildersinstitute.org](mailto:jeff@buildersinstitute.org).

Benefits of Membership, Part 2:

By Maggie Collins, Director of Membership  
Building and Realty Institute (BRI)



Networking and Incentives  
Complement and Enhance the  
BRI's Membership Experience

ARMONK

As Summer begins to make its exit, we hope everyone can say they've taken time over the last two months to enjoy the 3R's - rest, relaxation & rejuvenation. I think it's fair to say you'll need your energy for the fall schedule of The Building and Realty Institute (BRI). We have several new and truly exciting initiatives to tell you about.

My initial *Impact* columns are an effort to illustrate and remind members of the very real benefits and principal functions of the BRI as a vibrant trade association. In the last issue I discussed the immense and vital nature of advocacy and the positive results it has yielded in our industry over these 70 years.

I focus now on Member Incentives and Networking as two other invaluable rewards of belonging. The makeup of our Brand New Member Incentive Program will be fully unveiled at our Premiere Vendor Showcase on Oct. 13 at The Crowne Plaza Hotel in White Plains (the showcase will run from 6 p.m. to 10 p.m.). Consider this column a partial debut.

Incentives Enhance Membership Value

With the leadership of our President, Carmelo Milio, we began an exploration of incentives in April when several members of the BRI came forward, in response to our solicitation, with a special offering of their product or service to their fellow members. As of today, we have 13 companies offering a valuable professional service as incentives:

CertaPro Painters, The Brothers Who Just Do Gutters, Sunrise Solar, NYC Travel Biz, Petro Commercial Services, The Blair Interiors Group, Levitt-Fuirst Associates, Ltd., Croton Auto Park, Sir Speedy of Pleasantville, Mackoul and Associates, Inc., Capital One Bank, Finger and Finger, A Professional Corporation, and Elefante and Persanis, LLP.

In addition, we will be providing a new broad-spectrum of health and wellness programs, products and services for the benefit of the entire BRI membership. I am sure that this program, also introduced to us by our President, will be of great interest to you, the reader, as well.

This is all to the good of the building and realty industry, that of increasing membership value. There is a growing excitement as we prepare to hold our first Vendor Showcase on Oct. 13 - this in lieu of our usual monthly General Membership Meeting.

So please come out, as you would to a monthly meeting, to support this premiere effort! As

of publication time, we have 30 exhibitors. There will be several breakout presentation sessions, including John Santacroce of Power Performance Industries (PPI), Lisa Cordasco of New Crystal Restoration, David Seiver of Capital Nanotechnology and Peter Gaito of PFGA Architects Engineers and Planners.

Networking - It's Personal and It's Business

As with the other benefits that membership in the BRI offers, it nearly goes without saying that networking ranks very high. In many cases, this is the initial impetus for joining in the first place. Considering the broad access to meetings and events, this aspect of belonging is really quite unparalleled.

The attendance figures for the monthly General Membership Meetings of the BRI consistently fall between 85 to 110 participants over the last year. The first hour of the evening is dedicated to the networking/introductions of guests. The programs consistently draw.

For instance, The Cooperative and Condominium Advisory Council (CCAC) of the BRI now has Membership Meetings so large that they have to be held in the ballroom at the Crowne Plaza Hotel.

Similarly, the Membership Meetings of the BRI's Apartment Owners Advisory Council (AOAC) and its Advisory Council of Managing Agents (ACMA) are other valuable opportunities to meet our members. The speakers, panels and topics offered at these gatherings are deeply relevant to - and specifically aim to inform on - present trends, needs and changes that keep members up to date.

This informational, educational component brings members out, driving up attendance. Guests are welcome at any, and all, of our component group meetings with the allowance of attending two times before making a decision on whether to join the BRI.

We've recently instituted a raffle drawing at the monthly general membership meeting as a way of thanking and encouraging members who attend, participate and network. I'd like to acknowledge the first two winners of the \$100 VISA gift certificate:

May's winner was John Santacroce, Power Performance Industries (luck was with John, a new member who had just joined); June's winner was Ken Nilsen, of Nilsen Management.

My next column will describe yet another highly beneficial aspect of BRI membership: education. When it comes to the benefits of membership, the top reasons - advocacy, incentives, networking and education - are what keep people here and keep them coming on board.

I look forward to seeing you at the September 15 General Membership Meeting (6:30 p.m. at the Crowne Plaza Hotel in White Plains) and at the October 13 Vendor Showcase.

Reports:

# Builder Confidence Rises Two Points in August, While Housing Markets Gradually Move Back to Normal Levels

By Jeff Hanley, Impact Editor  
WASHINGTON, D.C

Builder confidence in the market for newly constructed single-family homes in August rose two points to 60 from a downwardly revised reading of 58 in July on the National Association of Home Builders (NAHB's)/ Wells Fargo Housing Market Index (HMI), NAHB officials recently announced.

The index was released on Aug. 15. "New construction and new home sales are on the rise in most areas of the country, and this is helping to boost builder sentiment," said NAHB Chairman Ed Brady, a home builder and developer from Bloomington, Ill.

"Builder confidence remains solid in the aftermath of weak Gross Domestic Product (GDP) reports that were offset by positive job growth in July," said NAHB Chief Economist Robert Dietz. "Historically low mortgage rates, increased household formations and a firming labor market will help keep housing on an upward path during the rest of the year."

Derived from a monthly survey that NAHB has been conducting for 30 years, the NAHB/ Wells Fargo Housing Market Index (HMI) gauges builder perceptions of current single-family home sales and sales expectations for the next six months as "good," "fair" or "poor," NAHB officials said.

The survey also asks builders to rate the traffic of prospective buyers as "high to very high," "average" or "low to very low." Scores for each component are then used to calculate a seasonally adjusted index where any number over 50 indicates that more builders view conditions as good than poor.

Two of the three HMI components posted gains in August. The component gauging current sales conditions rose two points to 65, while the index charting sales expectations in the next six months increased one point to 67. The component measuring buyer traffic fell one point to 44, the report said.

Looking at the three-month moving averages for regional HMI scores, the South registered a two-point uptick to 63 and the Northeast rose two points to 41. The West was unchanged at 69. The Midwest dropped two points to 55, the study added.

The NAHB/Wells Fargo Housing Market Index (HMI) is strictly the product of NAHB Economics, association officials said. The index is not seen or influenced by any outside party prior to being released, officials added.

HMI tables can be found at [nahb.org/hmi](http://nahb.org/hmi). More information on housing statistics is also available at [housingeconomics.com](http://housingeconomics.com).

## Markets Climbing Back

Markets in 146 of the approximately 340 metro areas nationwide returned to, or exceeded their last normal levels of economic and housing activity, in the second quarter of 2016, according to the NAHB/First American Leading Markets Index (LMI). The data in the index - which was released on Aug. 4 - represents a year-over-year net gain of 66 markets, the study said.

The index's nationwide score ticked up to .97, meaning that, based on current permit, price and employment data, the nationwide average is running at 97 percent of normal economic and housing activity. Meanwhile, a total of 91 percent of markets have shown an improvement year-over-year, according to the report.

"This gradual uptick is in line with NAHB's forecast for a slow, but steady recovery of the

housing market," said Brady. "With a strengthening economy, solid job growth and low mortgage interest rates, the market should continue on an upward trajectory throughout the rest of the year."

"Among the LMI components, house prices are making the most far-reaching progress, with almost 97 percent of markets having returned to, or exceeded their last normal levels," Dietz said. "Meanwhile, 78 metros have reached or exceeded normal employment activity. Single-family permits have edged up to 50 percent of normal activity, but remain the sluggish element of the index."

Kurt Pfothenhauer, vice chairman of First American Title Insurance Company, which co-sponsors the LMI report, said that more than 85 percent of all metros saw their respective LMI's rise over the quarter. He stressed the ratio is a signal that the overall housing market "continues to move forward."

## The Specifics

Baton Rouge (La.) continues to top the list of major metros on the LMI, with a score of 1.61, or 61 percent better than its last normal market level, the report said.

Other major metros leading the list include Austin (Tex.), Honolulu, and San Jose (Calif.). Completing the "Top 10" are Houston, Provo (Utah), Spokane (Wash.), Nashville, Los Angeles, and Oklahoma City.

The report said that, among smaller metros, both Odessa and Midland (Tex.) have LMI scores of 2.0 or better, meaning that their markets are now at double their strength prior to the 2008-2009 recession. Also at the top of that group are Manhattan (Kan.), Walla Walla (Wash.), and Grand Forks (N.D.), respectively.

The LMI examines metro areas to identify those that are now approaching and exceeding their previous normal levels of economic and housing activity, the study said. Approximately 340 metro areas are scored by taking their average permit, price and employment levels for the past 12 months and dividing each by their annual average over the last period of normal growth, officials added.

The report said that, for single-family permits and home prices, 2000-2003 is used as the last normal period. For employment, 2007 is the base comparison, the study added. The three components are then averaged to provide an overall score for each market. A national score is calculated based on national measures of the three metrics. An Index Value above one indicates that a market has advanced beyond its previous normal level of economic activity, officials added.

NAHB officials said that, in calculating the LMI, the association utilizes employment data from the Bureau of Labor Statistics, house price appreciation data from Freddie Mac and single-family housing permits from the U.S. Census Bureau.

In 2015, the Census Bureau revised the manner in which it obtains monthly counts of Metropolitan Statistical Areas (MSA's) single-family permits data. To maintain consistency within the LMI, NAHB excluded certain MSA's and improved comparability with previous years for the remaining areas, association officials said.

Historical information and charts can be found at [nahb.org/lmi](http://nahb.org/lmi), officials added.

# The Advisory Council of Managing Agents (ACMA) Announces the Scheduling of its September 21 Meeting

By Jeff Hanley, Impact Editor

## WHITE PLAINS

One of the leading property management groups in the Westchester and Mid-Hudson Region has announced the scheduling of its next membership meeting.

The Advisory Council of Managing Agents (ACMA) of The Building and Realty Institute (BRI) recently announced that its next membership meeting is scheduled for Wednesday, Sep. 21, beginning at 12 noon. The meeting will be at the Crowne Plaza Hotel in White Plains.

The event is open to all ACMA members. Members of the BRI are also eligible to attend the program, event officials said.

"We will be discussing a variety of issues that affect property managers of co-ops, condos and rental apartment buildings," said David Amster, chair of ACMA. "The formats of our recent membership meetings have been very popular with members of ACMA and the BRI. The meetings have provided opportunities for members of ACMA and the BRI to connect and review important topics affecting the realty sector of our region."

Amster added that full details on the program will soon be sent to the memberships of ACMA and the BRI. He said reservations for the meeting can be sent to [jeff@buildersinstitute.org](mailto:jeff@buildersinstitute.org), or phoned into the ACMA/BRI offices at (914) 273-0730.

ACMA, a realty industry membership association, has more than 30 members. Those companies are responsible for the operations of a large number of co-ops, condos and apartment rental buildings in the Westchester and Mid-Hudson Region, ACMA officials said.

The BRI is one of the leading business membership groups in New York State. The organization has more than 1,800 members in 14 counties of the state. Those members are involved in virtually every sector of the building, realty and construction industry, association officials said.

Based in Armonk, the BRI has been commemorating the 70th anniversary of its formation throughout 2016.

*In the Wake of "Amanda's Law" UnCOMpromising Vigilance Essential When it COMes to Carbon Monoxide, Continued from p. 1*

Now, the state has built-in further safeguards and requirements into CO detection.

Building and Realty Institute (BRI) representatives met recently with officials from the New York State Department of State's (DOS's) Building Codes Council, Division of Code Enforcement Administration (DCEA), in Albany. The key points made at this meeting were:

- State Code Officials strongly urge all building owners, property managers and responsible real estate professionals to check their on-line CO education link: [www.dos.ny.gov/DCEA/pdf/carbonMonoxide\\_CommercialBuildings06222015.pdf](http://www.dos.ny.gov/DCEA/pdf/carbonMonoxide_CommercialBuildings06222015.pdf)
- Based on the definitions and terminology in this excellent on-line tutorial on CO in buildings, these additional steps should be followed:
- Identify Sources of CO
- Identify Detection Zones
- Identify Proper Spacing and Placement of CO detectors
- Any type of Underwriters' Laboratory (UL) CO detector is acceptable: hard-wired, plug-in and/or battery
- All detectors must have a 10-year battery backup.

Other important points involving the updated state requirements for CO detection are:

- Detection Zones can be common spaces, laundry rooms, lobbies, etc.
- A "Central Alarm System" is only required if the decision is to place only one single detector at the first source location/room and no other locations.
- A Central System is not required if you install battery-powered or plug-ins at each source/detection zone.
- An Attached Garage is not a detection zone, but it is a Source of CO which requires CO detectors, whether the garage is adjacent to the building in question, or underneath the building.

Finally, any municipality in New York State can enact CO regulations more stringent than the state, but the local government must get approval from the Department of State (DOS) in order for their regulations to be "in effect."

There are currently no "More Restrictive Local Standards" approved by the Code Council in regards to carbon monoxide requirements in any municipality in Westchester County. Therefore municipalities should be enforcing the requirements found in the regulations posted on the Department of State's (DOS's) website: [www.dos.ny.gov/DCEA/pdf/TEXTCO\\_20150602.pdf](http://www.dos.ny.gov/DCEA/pdf/TEXTCO_20150602.pdf)

## KEY CONTACT INFO:

**Department of Code Enforcement Administration,  
Department of State (DOS)**

[john.addario@dos.ny.gov](mailto:john.addario@dos.ny.gov)  
518-474-4073 (hit selection "8")

**Online, a handy state TUTORIAL  
on this whole issue can be found here:**

[www.dos.ny.gov/DCEA/pdf/  
CarbonMonoxide\\_CommercialBuildings06222015.pdf](http://www.dos.ny.gov/DCEA/pdf/CarbonMonoxide_CommercialBuildings06222015.pdf)



# The Building and Realty Institute’s (BRI’s) Inaugural Vendor Showcase Receiving a Favorable Reaction

By Jeff Hanley, Impact Editor  
WHITE PLAINS

The response to the Inaugural Vendor Showcase of The Building and Realty Institute (BRI) has been strong, association officials recently said.

The showcase - scheduled for Thursday, Oct. 13, from 6 p.m. to 10 p.m. at The Crowne Plaza Hotel in White Plains - will feature representatives of virtually every sector of the building, realty and construction industry.

“This is truly a unique event, and the strong response we have received from exhibitors (a total of 30 exhibitors as of Aug. 31) offers proof of that,” said Albert Annunziata, executive director of the BRI. “We do not recall a local event that will feature a total representation of the building, realty and construction industry. It is a show that our members, as well as the general public, will not want to miss.”

Event officials said that the showcase will feature an exhibition of:

- ✧ Builders and Developers
- ✧ Remodelers
- ✧ Contractors and Sub-Contractors
- ✧ Service Firms and Professionals Who Serve Those Sectors
- ✧ Service Firms and Professionals Who Serve Residential Buildings and Complexes
- ✧ Service Firms and Professionals Who Serve Commercial Buildings and Complexes
- ✧ Property Managers of Residential and Commercial Buildings and Complexes

“All BRI members, as well as non-members, are welcome to exhibit at this event,” said Maggie Collins, event coordinator and director of membership for the BRI. “The program will also feature Break-Out Presentations and Workshops. It is a program well-worth attending for anyone affected by the building, realty or construction industry. We are delighted by the response to the event that we have received.”

Exhibition Space can be reserved by contacting Collins at [maggie@buildersinstitute.org](mailto:maggie@buildersinstitute.org), or at the BRI offices at (914) 273-0730. Event officials said that exhibition spaces - at \$300 per table for BRI members and \$500 for non-members - are still available. Officials are urging prompt reservations due to the strong response from exhibitors.

Admission to the showcase is free for BRI Members and the general public. Advance Reservations are mandatory. BRI Members, or members of the general public, can confirm their attendance to [maggie@buildersinstitute.org](mailto:maggie@buildersinstitute.org), or to [jeff@buildersinstitute.org](mailto:jeff@buildersinstitute.org). Reservations are also being accepted at (914) 273-0730, event officials said.

The BRI, also known as The Builders Institute (BI), is a building, realty and construction industry membership organization. The association has more than 1,800 members in 14 counties of New York State. Members of the organization are involved in virtually every sector of the building, realty and construction industry, association officials said.

Based in Armonk, the BRI has been commemorating the 70th anniversary of its formation throughout 2016.

## Of Horses and Affordable Housing, Continued from p. 1

able/workforce units by the year 2000) included a revised housing goal of 239 affordable/workforce units by 2015.

The IMA in Section 5.7 also stated “if the required number of middle-income workforce housing...are not developed in the town by 9/1/13...the parties agree that upon demand of the county, the town shall pay to the county Five Hundred Thousand (\$500,000) Dollars.”

The Sep. 1, 2013 deadline has come and gone. As of this writing, the Town of Lewisboro has still to meet its housing obligations under the Inter-Municipal agreement. The county has not yet called in its “marker” based on Section 5.7 of the Inter-Municipal Agreement. Aside from the fact that it’s a tidy sum that might go to a number of affordable housing-related investments and programs, Lewisboro’s action - or lack of it - is a significant blow to the local and regional demand for much-needed affordable/workforce housing. It is also a missed opportunity for builders out there who are ready, willing and quite able to meet that housing demand.

In 2008, a planning consultant to the county was asked to assist the Town of Lewisboro by conducting a study of four sites within the town where the zoning could be changed to allow for multi-family housing, thus laying the groundwork for the development of affordable/workforce housing and making it more feasible.

By increasing the density to only three units per acre, dozens of townhome or garden apartment affordable/workforce units could be developed on these sites.

The town has yet to seriously consider these proposed zoning changes. If the town had rezoned the properties and no developers expressed interest in developing affordable housing on them, then one might have reasonably concluded that the town had made, at least, a good-faith effort.

Lewisboro was one of the 31 municipalities included in the original Westchester Housing

Settlement based on violation of the federal Fair Housing Ordinance. The Federal Housing Monitor appointed under the settlement, James Johnson, reviewed the municipal zoning in these 31 municipalities under the Berenson and Huntington fair housing tests.

The Berenson fair housing criteria, based on *Berenson v. Town of New Castle* (1977), requires that each municipality, in its zoning, provide for both its own determined housing requirements, as well as its share of the regional need for a full range of housing. The Huntington standard, based on the case *NAACP v. Town of Huntington* (1988), states that a zoning ordinance violates the federal Fair Housing Act if it has a disparate *Impact* on a protected class by having a disproportionate adverse *Impact* on a minority group, or by perpetuating segregated housing patterns.

Lewisboro’s zoning was found by the Federal Monitor to be in violation of both the Berenson and Huntington tests. In this respect, Lewisboro is joined by only two other municipalities, all sharing a comparable and lamentable record when it comes to failing a good-faith accommodation of fair and affordable housing. The other two localities are the Town of Harrison and the Village of Pelham Manor (more on these municipalities in a subsequent issue of *Impact*).

In addition, the Town of Lewisboro is one of the few municipalities that has refused to adopt the Model Housing Ordinance (developed by the Westchester County Planning Department) included in the Housing Settlement that requires a 10 percent set-aside for affordable/workforce housing.

Getting back to the open space acquired with county money back in 2003, it is now something called “the Old Field Preserve.” It is a beautiful, exclusive chunk of open space and it has been well received - and undoubtedly appreciated - by Lewisboro’s affluent equestrian community.

## Counsels’ Corner

### The Unexpected Can Happen When it Comes to Elections for Board Members of Cooperatives and Condominiums

By Kenneth J. Finger, Esq., Carl L. Finger, Esq. and Daniel S. Finger, Esq., Finger and Finger, A Professional Corporation, Chief Counsel, Builders Institute (BI)/Building and Realty Institute (BRI)

WHITE PLAINS

Every Board of Directors, for a Cooperative, or Board of Managers, for a Condominium, has an election for its members on an annual basis.

While the procedure would seem simple and lead to the election of the Board Members - provided, of course, that a quorum is present - one Board recently found itself with a problem that seemed easily correctible. Not so fast, said the Court!

#### An Election

The facts are that the Cooperative sent out a notice for the Annual Election of Board Members. As with many Co-ops, the terms of the Board Members were staggered, and three members were up for election.

The By-Laws of this Co-op provided, as also with many Co-ops, that voting can be either in person or by proxy. The By-Laws also provided that “ballots and proxies shall be voted and counted at one and the same time.”

The By-Laws also provide for Inspectors of the Election. The By-Laws are silent as to miscounting or recounting of ballots. The Annual Meeting of the Directors is to take place immediately after the shareholders’ Annual Meeting. The Annual Shareholders’ Meeting took place and three Board Members were elected and the results announced. Shortly after the meeting, a shareholder asked to examine the proxies and did so the next day.

#### An Exam

Upon the examination of the proxies he found that one proxy was not counted. The Board was notified and, due to the inclusion of the proxy erroneously omitted and not counted, the election results changed and the Board changed the results and the “certificate” of the results of the election were signed with the changed Board Members.

Within three days of the election, a letter was sent to all shareholders advising of the changed election result due to the mistake and the recount (as he said he did in all cases, particularly in close elections).

The Board Member who was not elected brought a lawsuit challenging the action of the Board (and the Election Inspector) in changing the election results. The Board argued that the proxy was timely submitted and omitted from the count due to an error. The “petitioners” argued that the announced results of the election should be confirmed regardless of the mistake and that by changing the results the Board breached its fiduciary duty.

The Court reviewed the case and issued a lengthy decision stating, among other things, that: “A corporation’s (the co-op’s) scope of authority is defined by the Business Corporation Law (BCL) and the corporate By-Laws. Where a Co-op’s By-Laws are clear, they must be followed.”

The Court, citing the BCL, said a court has the authority to confirm an election, order a new election or “take such other action as justice may require.” It then stated that “however, the election may be set aside only where it is so clouded with doubt or tainted with questionable circumstances that the standards of fair dealing require it.” A lack of proper notice of the election is one such ground.

The Court cited prior precedent that, as to balloting, absent any By-Law or statute to the contrary, votes cannot be added after the “polls have closed and the results formally announced.” The Court went on to opine that a crucial action is the announcement of the final vote.



Ken Finger



Carl Finger



Dan Finger

#### A Citation

Citing the BCL, the Court also said that “no ballots, proxies, consents, nor any revocation thereof or changes thereto, shall be accepted by the inspectors after the closing of the polls and that the polls shall close at the end of the meeting and the inspection shall determine the result of the meeting.” Moreover, a certificate of the results is not a legal requirement to finalize the election, but is required if requested.

In this case, the By-Laws were silent as to a miscount or a recount. However, the Court believed that the intent of the By-Laws was that the votes are counted “at a single point in time, and that that time be at the Annual Shareholders Meeting, and not sometime after, and not twice.”

The Court affirmed the practice of this Board to announce the results at the end of the Annual Meeting and that was the ‘common practice’ of this Board, which also should be respected. The Court found that even though there was an “overlooked proxy,” that did not violate the “fair dealing” requirement and that this mistake did not cloud with doubt or taint the election with questionable circumstances so that the election had to be set aside.

**“What do we learn from this case? Among other things, compliance with the By-Laws is essential and consistency with precedent is significant.”**

Concluding that “like any other corporate board, the board of a residential cooperative has a fiduciary duty to the shareholders” and the Court found that the respondents (the Board) did not violate their fiduciary duty, nor were any monetary damages caused the petitioners. The Court found and held that the initial results held up and the count the next day was invalid.

What do we learn from this case? Among other things, compliance with the By-Laws is essential and consistency with precedent is significant. We recommend to our clients that the Inspectors of the Election sign a certification as to the count and the count be closed and verified at the end of the Annual Meeting. Doing so should confirm the election and avoid later disputes.

**Editor’s Note: The authors are with Finger and Finger, A Professional Corporation. Finger and Finger is chief counsel to The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and The Mid-Hudson Region. The firm is based in White Plains. The preceding report originally ran in the July/August 2015 issue of Impact. It is being re-printed due to its popularity.**



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### Ossining Calls a "Time-Out" to all Housing and Commercial Growth, Continued from p. 1

could establish that the law does not meet the criteria considered in other instances where a court has annulled such a law.

As a practical matter, however, such litigation is usually not undertaken since the moratorium time period usually - but not always - expires before a court decision is rendered.

While the four-month period in the Ossining moratorium appears to be a reasonable amount of time, the danger exists that these moratoria can be extended. Such extensions are usually permitted as long as the municipality can establish that it is diligently pursuing the moratorium's focus, intent and purpose, and conducting the studies related thereto, which have been originally presented as the need for the moratorium.

Where local developers and property owners have an interest in the outcome of the studies and proposals for new laws, it is important for them to maintain an active monitoring and inputting role during the moratorium period.

Normally, as the professional studies are completed, even in draft form, they are available for review and comments. Also, often municipalities have public work sessions at which they welcome public input.

Builders and developers could also request workshop sessions with the professional staff and consultants conducting the planning studies during the moratorium period. If there are potentially complicated proposals being advanced, the engagement of legal and/or planning professionals to assist in providing comments and inputs would be helpful.

### Time is Money, Timing is Everything

Time and the market and business cycles are all critical factors that go into development decisions. Timing and money are at stake. While certainly not a welcome delay for

builders contemplating a development application, the moratorium process should be pursued and must be conducted in good faith by the municipality. Anything to the contrary would be subject to possible legal action.

The Building and Realty Institute's (BRI's) staff, and its consultants, are available to provide advice to its builder/developer and property owner members and, when deemed appropriate, can provide public testimony on the new laws or regulations being proposed.



By Stuart Bethell

WHITE PLAINS

### You all know the saying: there's good news and there's bad news.

Well, the bad news is that the hurricane season is well underway. The good news is that you have less to worry about if you have taken an all-hazards approach to preparedness.

The possibility of a hurricane making landfall this season remains elevated. We are overdue for a major hurricane strike on the east coast. This season, it is predicted that at least one major storm will make landfall.

Remember Sandy? Hurricane (and Super-storm) Sandy was barely a tropical storm when it came ashore on the New Jersey - Delaware border, many miles south of New York. Hurricanes Bob, Floyd and Irene all made landfall in the New York area as Tropical Storms. Imagine if Sandy had been a higher category storm and tracked directly into Westchester County?

We have not had a major hurricane strike our area with hurricane force winds since 1938.

That storm occurred prior to the National Weather Service (NWS) practice of naming storms, but is known as the great New England hurricane of 1938, or "The Long Island Express" [www.weather.gov/okx/1938HurricaneHome](http://www.weather.gov/okx/1938HurricaneHome).

At that time, Long Island was mostly farm land. The damage and loss of life was devastating. There was extensive damage (more than \$41 billion in 2005 amounts) to several New England states, including New York. A total of 600 people lost their lives as a result of the storm.

The NWS has determined that the storm had sustained winds of 121 miles per hour (mph), with maximum recorded gusts of 186 mph. The storm tide in Bridgeport (Conn.) was measured at 12.8 feet above MLLW. If you add the forward motion of the storm at 47 mph, the total maximum winds associated with this storm were an amazing 168mph. A Category Five Storm has maximum sustained (damage causing) winds of 157mph or higher.

The NWS uses the following description to define the effects of a Category Five Storm: "Catastrophic damage will occur. A high percentage of framed homes will be destroyed, with total roof failure and wall collapse. Fallen trees and power poles will isolate residential areas. Power outages will last for weeks to possibly months. Most of the area will be uninhabitable for weeks, or months <http://www.nhc.noaa.gov/aboutshws.php>."

### Additional Threats

Some of the hazards, in addition to hurricanes, that may be encountered in our area are fire, rain storm/flooding, winter storms, tornadoes, loss of utilities, pandemic, hazardous material incidents, micro-bursts, earthquakes, terrorism incidents (cyber and others), and radiological accidents.

Some hazards are prevalent in different geographical areas, so when traveling, take the time to know how you may be affected by local conditions.

You will be able to meet preparedness obligations to your properties, company and, of course, you and your family, when you take action to prepare.

The following is a quick "Top 10" reference outline for all hazards preparedness:

1. Have an action plan that includes a support network in your community.
2. Obtain necessary supplies and equipment
3. Be aware of how the emergency/disaster response systems work in your local community, state and federal jurisdictions.
4. Have the ability to both receive information and communicate with others during a disaster event.
5. Have a place to go if you must evacuate your primary residence.
6. For business owners - have a Continuity of Operations Plan!

### Guest Commentary:

## Owners, Co-op and Condo Boards and Property Managers of All Facilities Definitely Need to Prepare for Natural Disasters, or Else!

7. Have a Workplace Response Plan for active shooter and natural /technological hazards response.
8. Support and/or participate in your local volunteer agencies active in disaster responses, such as: Ambulance, Fire, Auxiliary Police Department and Sheriff, Red Cross, Community Emergency Response Teams (CERT's), County Animal Response Teams (CART's), religious and other institutions with Disaster Response Programs.
9. Learn First Aid and CPR.
10. Preparedness requires active participation and attention, even after you have achieved your planning and supply goals.

"September is the peak month for hurricane activity in the Atlantic. There is still time to prepare! Every step you take, no matter how small, will lessen the *Impact* and increase the survivability of an emergency, or a disaster. Take action now!"

The information presented above represents a framework. If the reader is moved to seek more and detailed information, here are just a few of the many web site resources you will find:

[Fema.gov](http://www.fema.gov)

**Emergency Management Institute (FEMA)**

<https://training.fema.gov/emi.aspx>

**Westchestergov.com**

**NY State Department of Homeland Security**

[www.dhses.ny.gov/](http://www.dhses.ny.gov/)

**Community Emergency Response Teams (CERT's)**

[www.fema.gov/community-emergency-response-teams](http://www.fema.gov/community-emergency-response-teams)

**National Weather Service**

[www.weather.gov/](http://www.weather.gov/)

**The American Red Cross**

[www.redcross.org/ux/take-a-class](http://www.redcross.org/ux/take-a-class)

In addition, I highly recommend the following books: *The Great Influenza* (John M. Barry); *Lights Out* (Ted Koppel) and *Isaac's Storm* (Eric Larson).

September is the peak month for hurricane activity in the Atlantic. There is still time to prepare! Every step you take, no matter how small, will lessen the *Impact* and increase the survivability of an emergency, or a disaster. Take action now.

**Editor's Note:** Stuart Bethell is the Senior Consultant and Founder of Fleet West Management Corporation, a White Plains-based consultancy. The company is dedicated to advising property management companies and other entities on Emergency/Disaster Preparedness and Consequence Management. Bethell has more than 40 years of experience in the property management field. He is a former Director of Emergency Services for the American Red Cross in Westchester County.



# Development Study:

## GDC and Yonkers Officials Celebrate the Groundbreaking of 1177@Greystone, a Luxury Rental Overlooking the Hudson

YONKERS

**Y**onkers officials recently joined with representatives from Ginsburg Development Companies (GDC) to break ground on 1177@Greystone, a new 55-unit luxury rental apartment building in the Greystone neighborhood of the city.

Located at 1177 Warburton Avenue, the contemporary designed, three-story building is one block north of River Tides at Greystone, GDC's 330-unit luxury rental complex nearing completion, officials said.

Apartments at 1177@Greystone will feature approximately 10-foot ceiling heights, oversized windows, wood laminate flooring, contemporary kitchen and bath designs and indoor garage parking. A landscaped courtyard and sundeck will offer dramatic views overlooking the Hudson River and Palisades, officials added.

Project spokesmen said that the one-bedroom apartments will range in size from 680 to 965 square feet, with monthly rents starting at \$1,895. The two-bedroom units will range in size from 1,105 to 1,245 square feet, with monthly rents starting at \$2,795, and a line of three bedroom apartments at 1,245 square feet will start at \$3,295. Occupancy is scheduled for September of 2017.

In addition to spectacular views of the Hudson River and the Palisades, residents of 1177@Greystone will enjoy their own gym and club room. They will also have access to a full range of

amenities at River Tides at Greystone, including the fitness center, spa, yoga studio, pool and sundeck, as well as a private path to the Greystone Metro-North Train Station. River Tides at Greystone is scheduled to begin leasing next January, officials said.

1177@Greystone offers a serene setting in a boutique building and easy access to Manhattan, with Grand Central Station only a 32-minute commute by Metro-North train from the nearby Greystone station, officials added.

"We have a real commitment to the Hudson River and the Greystone community. We have built over 700 condominiums in the neighborhood and will be adding almost 400 luxury rental apartments at 1177 and River Tides. While the designs are all different, they share the same attention to detail, quality, landscaping and services that have become the mark of the GDC Rentals brand," said Martin Ginsburg, principal of GDC.

"1177@Greystone is yet another shining example of the great revitalization efforts we see blossoming here in Yonkers – along the waterfront, overlooking the Palisades," said Yonkers Mayor Mike Spano. "Developers like Ginsburg have the vision to re-purpose deteriorating properties into resort-style homes and reclaim our beautiful Hudson River views."

The 1177@Greystone property is the fifth luxury rental development by GDC in the Hudson Valley corridor. In



Officials from Ginsburg Development Companies (GDC) and Yonkers officials recently celebrated the Groundbreaking of 1177@Greystone, a future luxury rental complex in the city that will overlook the Hudson River. Pictured at the event are, from left to right, Yonkers City Council Minority Leader Michael Sabatino; Wilson Kimball, commissioner of planning and development for Yonkers; Deputy Mayor Steve Levy; Martin Ginsburg, founder and principal of GDC; New York State Senator Andrea Stewart-Cousins; and Irene Ginsburg. Those pictured stood at the site of the future complex. Photo by John Vecchiolla.

addition to River Tides at Greystone, GDC recently completed Harbor Square in Ossining and will soon be opening The Lofts on Saw Mill River in Hastings-on-Hudson. In Rockland County, GDC is completing the initial lease-up of Riverside at Harbors-at-Haverstraw, which opened last June, officials said.

**F**ounded in 1964 by Ginsburg, GDC is a leading residential developer in the northern suburbs of New York City. With 50 years of experience and market leadership, the company has built many of the region's most successful and prestigious luxury developments, many with a

Hudson River and/or transit-friendly focus.

- Those developments include:
- Harbors at Haverstraw
  - Livingston Ridge in Dobbs Ferry
  - Ichabod's Landing in Sleepy Hollow
  - Mystic Pointe in Ossining
  - Marbury Corners in Pelham
  - Christie Place in Scarsdale.

GDC's developments have won numerous design and community planning awards. GDC also owns and manages a portfolio of commercial properties, primarily in Westchester County, officials said.

### Homeland Security Threats the Focus of BRI's September 15 General Membership Meeting, Continued from p. 1

Carmelo Milio, we decided that a Homeland Security program was pertinent and appropriate for our Sep. 15 General Membership Meeting (a 6:30 p.m. start at the Crowne Plaza Hotel in White Plains)," said Albert Annunziata, executive director of The Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).

"We have a large and diverse membership, with over several hundred cooperative and condominium presidents and directors, apartment building owners and property managers at residential and commercial building sites throughout Westchester," Annunziata said. "Coupled with our affiliation with over a thousand union workers of the Local 32-BJ Service Employees International Union (SEIU) of greater New York and its Westchester division, we've got a lot of eyes and ears out there, so there is a tremendous potential for vigilance."

In addition, the BRI has a large number of contractors, suppliers and service firm members who further amplify this potential for awareness and alertness for possible terrorist activity, BRI officials said.

**P**anelists confirmed for the Sep. 15th meeting, as of late August, include: A representative from the FBI's New York Office of Community Outreach; George Longworth, the commissioner of Westchester County's Department of Public Safety/Police Department; George Oros, chief of staff to Westchester County Executive Rob Astorino and Bruce Bendisch, the Republican candidate for Westchester District Attorney.

Event officials added that Anthony Scarpino, Democratic candidate for Westchester District Attorney, was also invited, but has an unbreakable schedule conflict.

In addition to the officials listed above, Annunziata said that he was proud to add that there was a very good chance that Congressman Peter King (former chair and ranking member of the House Homeland Security Committee and Intelligence Committee) will be able to speak at the event.

"There has been no more ardent, sincere and passionate advocate for the security of this country, and of New York State in particular, than Congressman Peter King," Annunziata said. "We are honored and privileged at the prospect of Mr. King participating in our Homeland Security event."

Annunziata added that the New York State Division of Homeland Security's Office of Counter Terrorism has the following essential tips:

- ◆ Know the normal "Routines" of your daily life, both at work and recreation. Understanding routines will better help you spot something "out of place," or out of context;
- ◆ Be Aware of what's going on around you. For example, suspicious mail, isolated packages, luggage abandoned in a crowded place, etc;

- ◆ Take what you may hear seriously. If you hear or know of someone who has bragged or talked about plans to harm people by violent or insidious means, report it to law enforcement immediately;

**If you see something, say something!**  
**Call 1-866-SAFE-NYS or 1-866-723-3697.**

BRI officials said that reservations for the Sep. 15 meeting can be made by calling the BRI offices at (914) 273-0730. Reservations can also be made through jeff@buildersinstitute.org.

The BRI, also known as The Builders Institute (BI), is a building, realty and construction industry membership organization. The association has more than 1,800 members in 14 counties of New York State. Those members are involved in virtually every sector of the building, realty and construction industry. The organization has been marking the 70th anniversary of its formation throughout 2016, BRI officials said.

### Hanley's Highlights: Reviewing a Diverse List of Industry Issues, Continued from p. 2

- An important review of the new processes involving Major Capital Improvement (MCI) Applications. The article summarizes the steps of the process for owners and managers of properties affected by The Emergency Tenant Protection Act (ETPA). The story was authored by Finger and Finger, A Professional Corporation. The firm serves as chief counsel to the BRI and its affiliates.
  - A Service Commentary and Analysis featuring an important list of summertime boiler tips. Mike Gregoretti, a heating specialist/certified energy auditor, produced the summary. Gregoretti is president of lessoil.com, a member of the BRI.
  - An article by Maggie Collins, Director of Membership for the BRI, on the many benefits members of the building, realty and construction industry receive by joining the association.
  - A thorough analysis in Tech Talk on a new and dangerous threat to the business arena – the Cerber Virus. The report was authored by Andrea Wagner of Wagner Web Designs.
  - A report in Counsels' Corner on how the unexpected can happen in elections for board members of co-ops and condos. The summary was prepared by Finger and Finger, A Professional Corporation, chief counsel to the BRI and its component associations.
- Here's hoping your summer produced a variety of nice things, similar to the menu at the old Baskin Robbins in Rye. As my grandmother, Ethel Hanley, always stressed to me, "look for the nice things in summer, because as life goes on, summers become nothing more than long weekends."
- Enjoy the issue!**



# Reviewing a Busy Time for the BI-BRI

By Jeff Hanley, Impact Editor  
ARMONK

## The Builders Institute (BI)/Building and Realty Institute (BRI) recently concluded a busy stretch of being involved in more than 25 noteworthy events.

Whether through the sponsorship of meetings and seminars for its members - or through representing the building, realty and construction sector at industry and business events - association members and the BI-BRI staff were kept extremely busy from April through August, officials recently said.

“We have been on an intense pace, and that trend will most definitely continue into the fall,” said Albert Annunziata, executive director of the BI-BRI. “Details on all of our fall and early winter events will be released in the days ahead.”

The BI-BRI has more than 1,800 members in 14 counties of New York State. Members of the organization are involved in virtually every sector of the building, realty and construction industry.

The affiliate groups of the association are The Advisory Council of Managing Agents (ACMA), The Apartment Owners Advisory Council (AOAC), The Commercial Builders Advisory Council (CBAC), The Cooperative and Condominium Advisory Council (CCAC), The Home Builders Advisory Council (HBAC) and The Remodelers Advisory Council (RAC).

Based in Armonk, the BI-BRI has been commemorating the 70th anniversary of its formation throughout 2016.

A photo montage on some of the recent activities of the BI-BRI is featured on these pages.



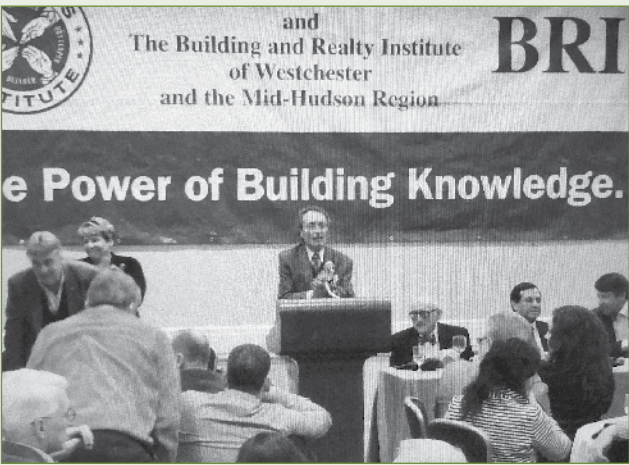
Maggie Collins (left), director of Membership, Advertising and Communications for The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and The Mid-Hudson Region, is pictured with Arthur Collins (right), a third-generation builder/developer, of Collins Enterprises. **Collins Enterprises is the developer of Hudson Park, a multi-building residential, retail, mixed-use development along the Hudson River and adjacent to the Yonkers Metro-North Hudson Line Train Station.** The Westchester-Fairfield (Conn.) Chapter of The Urban Land Institute (ULI) hosted a tour of the development on May 11.



**Arthur Collins of Collins Enterprises conducted a tour of his Hudson Park development along the Hudson River on May 11 for members of The Westchester-Fairfield (Conn.) Chapter of The Urban Land Institute (ULI).** The exclusive ULI-sponsored tour drew more than 30 professionals from the construction, real estate, engineering, planning and related fields. Collins, pictured on the left and pointing toward a portion of the development, is a third-generation builder/developer. Hudson Park is a multi-building residential, retail, mixed-use development that is adjacent to the Yonkers Metro-North Hudson Line Train Station.



**The Builders Institute (BI)/Building and Realty Institute (BRI) was a major sponsor of The “SHORE and I Care Midsummer Dinner” on July 13.** SHORE is the acronym for Sheltering the Homeless Is Our Responsibility, an all-volunteer, interfaith, not-for-profit housing organization that provides housing-related programs for the homeless. The dinner was at the Orienta Beach Club in Mamaroneck. Pictured during the event are, from left to right, Michele Lavarde, a member of the Board of Directors of The Cooperative and Condominium Advisory Council (CCAC) of the BI-BRI; Rose Noonan, executive director of The Housing Action Council; Jeff Hanley, associate executive director of the BI-BRI; and Susan McCarthy, chair of the Board of Directors of SHORE.



**“Challenges and Obstacles to Home Building in Westchester and Fairfield (Conn.) Counties - A Comparative Look” was the topic of the Apr. 14 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI).** The event featured representatives of the BI-BRI and The Home Builders and Remodelers Association of Fairfield County (HBRA) in a comprehensive panel discussion on current conditions facing builders and developers in Westchester and Fairfield counties. More than 80 representatives of the local building, realty and construction industry attended the event at The Crowne Plaza Hotel in White Plains. Pictured, standing, at the beginning of the program are Albert Annunziata (at the podium), executive director of the BI-BRI; and Gina Calabro (to Annunziata’s right), executive director of the HBRA. Annunziata and Calabro were co-moderators of the event. *Photo by Barbara Hansen.*

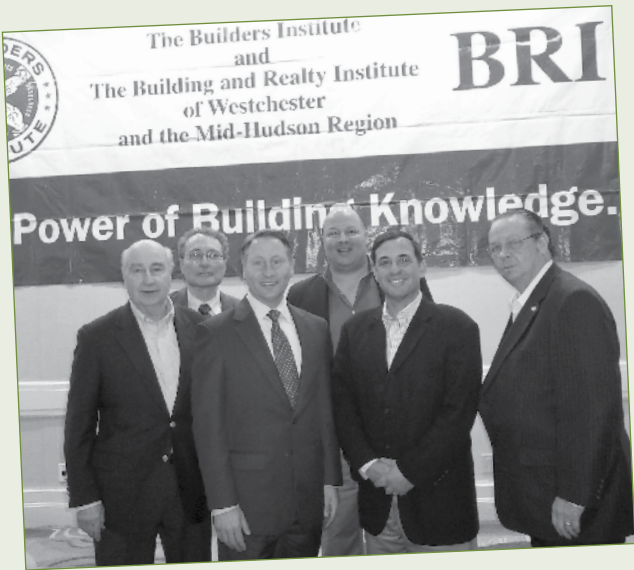


**New York State Workers Compensation Group 530, the compensation insurance group for The Building and Realty Institute (BRI), recently announced a 20 percent dividend.** The announcement was made at the group’s Annual Meeting on May 23. Pictured during the meeting are, clockwise from top, John Holzinger, chairman of the Executive Committee of Group 530; Robin Steiner, a member of the Executive Committee of Group 530; Maggie Collins, director of membership, BRI; Gerry Pinto of the New York State Insurance Fund; Donna Premuto and Linda Cannistraci of Levitt-Fuirst Associates; and John Bonito, a member of the Executive Committee of Group 530.





A review of the important steps that Boards of Directors of co-ops and condos should take during Major Capital Improvement Processes on their respective buildings and complexes was the topic of the Jun. 14 membership meeting of The Cooperative and Condominium Advisory Council (CCAC). A total of 76 members of the CCAC and its affiliate organization, The Building and Realty Institute (BRI), attended the program at The Crowne Plaza Hotel in White Plains. Pictured during the event's panel presentation are, from left to right, Panel Members Barry Korn, Barrett Capital; Mario Mouzouris, Merritt Engineering; Vincent Mutarelli, Capital One Bank; Rich Williams, Insite Engineering; Gregg DeAngelis, a member of The Westchester/Hudson Valley Chapter of The American Institute of Architects (AIA); and Pat Clair, Levitt Furst Associates (insurance manager for the CCAC/BRI). Jeff Hanley (not pictured), associate executive director of the BRI/CCAC, served as the event's moderator. *An Impact Staff Photo.*



Westchester County Executive Rob Astorino was the keynote speaker at the May 12 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI). Astorino issued an update on key issues affecting the building, realty and construction industry, as well as the county. A total of 101 BI/BRI members attended the event at The Crowne Plaza Hotel in White Plains. Pictured during the program in the front row, from left to right, are Ken Nilsen, BI-BRI board member; Astorino; Eric Abraham, chairman, BI-BRI; and Angelo Ponzi, vice chair of The Cooperative and Condominium Advisory Council (CCAC) of the BI-BRI. Pictured in the back row, from left to right, are Albert Annunziata, executive director, BI-BRI; and Michael Beldotti, board member, BI-BRI. *Photo by Hansen Photographics*



"Issues Affecting the Rental and Affordable Housing Markets In Westchester and The New York City Area" was the topic of the Jun. 9 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI). More than 60 BI-BRI members attended the program at the Crowne Plaza Hotel in White Plains. Pictured at the event are, from left to right, Frank Cerbini (speaker), vice president of business development for The NHP Foundation; Ken Finger, Esq. (speaker), chief counsel to the BI-BRI and a principal of Finger and Finger, A Professional Corporation; Norma Drummond (speaker), deputy commissioner of planning for Westchester County; Albert Annunziata, executive director, BI-BRI; and Brian McCarthy (speaker), executive vice president, Samson Management and a member of the Board of Trustees of the BI-BRI. *Photo by Barbara Hansen*

The Summer Baseball Outing of The Building and Realty Institute (BRI) was on July 28. BRI members and staff traveled to Dutchess Stadium in Wappingers Falls to see the Hudson Valley Renegades host the Staten Island Yankees in a Class A Minor League game. Pictured during the outing and enjoying a light-hearted moment with Rookie the Renegade, the mascot of the Renegades are, from left to right, Maggie Collins, director of membership, BRI; Rookie the Renegade; Jane Gill, controller, BRI; and Margie Telesco, office manager, BRI. More than 35 BRI representatives attended the outing. *Photo by Albert Annunziata*



(Below) Members of The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and The Mid-Hudson Region attended a May 10 seminar on the benefits of electric vehicles to the building, realty and construction industry. The program was entitled "Electric Vehicle (EV) Charging: The Basics and Beyond." It was at the Mamaroneck Self Storage facility in Mamaroneck. The seminar was sponsored by ChargePoint, BI-BRI Member Power Performance Industries (PPI) and Mamaroneck Self Storage. Pictured at the event, from left to right, are Bill Demersky, PPI; Ryan Bakley, director of sales at ChargePoint for the tri-state area; BI-BRI Member Michael Murphy of the New Project Development Division of Murphy Brothers Contracting; and Jeff Hanley, associate executive director of the BI/BRI. The quartet is pictured around a ChargePoint model charging station. ChargePoint works with organizations and business groups to develop effective, scale-able EV charging solutions, event officials said. *Photo by Peter Krupenye*



The Westchester/Hudson Valley Chapter of The American Institute of Architects (AIA) recently held its annual Golf Outing at Old Oaks Country Club in Purchase. In the spirit of professional collegiality, support and friendly competition toward the AIA, The Building and Realty Institute (BRI) fielded eight players to participate in the event, association officials said. Pictured, from left to right, are BRI member Giovanni Puerta; BRI Chairman Eric Abraham; Joe Pizzimenti, board member, BRI; Brett LaRocque, board member, BRI; Eric Messer, board member, BRI; and Bob Lupica, board member, Advisory Council of Managing Agents (ACMA) of the BRI. BRI golfers who played in the outing, but are not pictured, were Ken Finger, chief counsel, BRI; and Richard Hyman, a planning consultant to the BRI. *Photo courtesy of the Westchester/Hudson Valley Chapter of the AIA*



New York State Workers Compensation Group 458 of The Builders Institute (BI) held its Annual Meeting on June 1. Pictured at the event are, from left to right, Jason Schiciano, a principal of Levitt-Furst Associates, manager of Group 458; Lew Rapaport, chairman of the Executive Committee of Group 458; 458 Executive Committee Members Lee Lasberg and Eric Messer; and Ken Furst, principal, Levitt-Furst Associates. Levitt-Furst Associates announced a 25 percent dividend for the policy year ending June 29, 2015 at the meeting. The dividend was in addition to the maximum 20 percent advance discount that group members are eligible to receive, 458 officials said. The meeting was at the offices of Component Assembly Systems in Pelham. *Photo by Jeff Hanley*



# Poll: Housing Remains a Priority for Most Americans

By Jeff Hanley, Impact Editor

WASHINGTON, D.C

Four-out-of-five Americans believe that owning a home is a good investment, according to a recent poll commissioned by The National Association of Home Builders (NAHB).

NAHB said the poll, released on Jul. 27, was conducted as a method of measuring public sentiment on the value of homeownership and government programs that encourage homeownership and housing production. A nationwide survey of more than 2,800 registered voters was conducted from Jul. 22 through Jul. 24 by the polling firm Morning Consult, NAHB officials said.

"The survey shows that most Americans believe that owning a home remains an integral part of the American Dream and that policymakers need to take active steps to encourage and protect homeownership," said NAHB Chairman Ed Brady, a home builder and developer from Bloomington, Ill.

NAHB officials cited the following as among the study's key findings:

- ◆ A total of 82 percent rate "a home for you to live in" as a good or excellent investment (the highest of six choices), far ahead of the second option, retirement accounts, at 67 percent.
- ◆ Eighty-one percent of 18-to-29 year-olds want to buy a home.
- ◆ A total of 72 percent support the government providing tax incentives to encourage homeownership.
- ◆ Forty-six percent say now is a good time to buy a home, twice the 23 percent who say it is not.
- ◆ A total of 36 percent would like to buy a home in the next three years.

### Obstacles

Fifty-five percent said the biggest obstacle to buying a home was finding a unit at a price that is affordable, the report said. The study added that

a total of 50 percent cited insufficient savings for a down payment as a big obstacle, followed by forty-one percent reporting difficulty in getting approved for a home loan.

The survey was evenly split on which presidential candidate would be best for housing, NAHB officials said. Thirty-eight percent cited Hillary Clinton, 37 percent Donald Trump, and 25 percent reported "don't know" or "no opinion."

For a copy of the full survey, contact Stephanie Pagan at [spagan@nahb.org](mailto:spagan@nahb.org).

NAHB is a federation of more than 700 state and local associations. The organization represents more than 140,000 members. Approximately one-third are home builders and remodelers, NAHB officials said. The remainder of NAHB members work in closely related specialties, such as sales and marketing, housing finance, and manufacturing and supplying building materials, officials added.

# The Building, Realty and Construction Industry Mourns the Recent Losses of BRI Members John DeRosa and Carl DiMaio

By Jeff Hanley, Impact Editor

ARMONK

Representatives of The Builders Institute (BI)/Building and Realty Institute (BRI) expressed sadness over the recent deaths of John DeRosa and Carl DiMaio, two longtime members of the association.

DeRosa and DiMaio were past presidents of the BI-BRI. DeRosa served in that role in the early 1970's. DiMaio was president in 1995 and 1996.

According to an obituary published in The Journal News on Aug. 11, DeRosa died on Aug. 9. The obituary termed him as "an accomplished builder." It added that he helped "to change the skyline of Westchester County through the buildings and skyscrapers he erected."



John DeRosa

DeRosa founded DeRosa Builders in 1957, the report added.

DeRosa Builders has been a member of the BI-BRI since the early 1960's. DeRosa's daughter, Lisa (a principal of DeRosa Builders), is a member of the organization's Board of Trustees. She also serves as Vice Chair of The Apartment Owners Advisory Council (AOAC) of the BI-BRI.

"Without question, John DeRosa was a major figure in our area's building, realty and construction industry," said Albert Annunziata, executive director of the BI-BRI. "His contributions to the BI-BRI are lengthy - he served on many committees of our organization and will be remembered for that service, as well as for his noteworthy accomplishments to our area's building, realty and construction industry."



Carl DiMaio

DiMaio, who died during the week of Aug. 8, was a member of the BI-BRI since 1960. He was a longtime member of the organization's Board of Trustees. He also was a member of the Board of Directors of The Cooperative and Condominium Advisory Council (CCAC) of the BI-BRI. He served on many BI-BRI committees, including the association's Special Events Committee.

DiMaio was a chairman of the BI-BRI's former affiliate organization, The Building Contractors Association (BCA). He also was a longtime member of that association's Board of Governors.

Recognized as a leading figure/contractor in the local building, realty and construction industry, DiMaio was a principal for both Sisto DiMaio and The Anthony Carl Corporation.

"When one thinks of the BI-BRI, one cannot help but remember what Carl DiMaio meant to our association," said Annunziata. "He was an invaluable member, a member who was always ready to help the organization and its staff. He was like a member of our association's staff. We are so grateful that he was able to attend our organization's 70th Birthday Bash on Apr. 21. He enjoyed himself as we marked the 70th anniversary of the formation of our organization."

Annunziata termed DeRosa and DiMaio as "iconic figures" of the BI-BRI. He added that they were "special individuals" who cared about the building, realty and construction industry, the BI-BRI and the Westchester and Mid-Hudson Region.

"Each will be sorely missed," Annunziata said. "Their contributions to our organization will always, always be remembered."

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Sears Commercial  
Sunrise Building & Remodeling Inc.  
Zippy Shell



10 Impact JULY/AUG 2016



# Westchester County, Ossining Officials Join with GDC to Celebrate the Opening of Harbor Square

OSSINING

Westchester County and Ossining Village officials recently joined with representatives from Ginsburg Development Companies (GDC) to celebrate the grand opening of Harbor Square, a new \$65 million, mixed-use luxury rental complex on the Ossining waterfront.

The complex features world-class amenities and services, as well as spectacular views of the Hudson River, project officials said. The Jun. 23 event kicked off the grand opening weekend for the public to visit Harbor Square at open houses, officials added.

The ribbon-cutting celebration also included the formal dedication of a new public park at Harbor Square named in honor of Henry Gourdine, a legendary local fisherman who spent most of his 94 years harvesting the Hudson with fishing crews, officials added.

The \$1 million public park, which was built by GDC and funded by 50 percent through a grant from New York State, features a children’s playground, waterfront promenade and a dock that serves the New York Waterway Haverstraw-to-Ossining commuter ferry, officials said.

“Today represents a major milestone for GDC and the Village of Ossining. Working together, we have been able to transform a former industrial property into a magnificent mixed-use residential community featuring luxury rental residences, a first-class riverfront restaurant and a new public park where residents and their families can enjoy the incomparable beauty of one of the world’s greatest rivers,” said Martin Ginsburg, principal of GDC, at the Jun. 23 event.

Ginsburg added: “As a transit-oriented development, Harbor Square appeals to both millennials and empty-nesters who want the convenience of being just a short walk to the Metro-North train station.”

“The dedication of Henry Gourdine Park and the ribbon cutting of Harbor Square herald an exciting new chapter for Ossining’s waterfront. Is there any place more magnificent to watch a sunset than over the Hudson River? We are delighted to be welcoming this new opportunity for more people to enjoy the beauty of our village,” said Ossining Village Mayor Victoria Gearity.

“I am truly impressed by the ambition of Harbor Square, and the scope of what will be offered to Ossining, and the entire county as a result,” said Westchester County Executive Rob Astorino. “Westchester County is proud to have supported this project.”

The County’s Industrial Development Agency (IDA) provided financial incentives for the project, officials said. “The Department of State is proud to help New York State’s waterfront communities become more vibrant and economically developed,” said New York Secretary of State Rossana Rosado. “The completion of Henry Gourdine Park along the Ossining waterfront will improve public access to the Hudson River and provide recreational and economic opportunities for the village.”

## Specifics

Across from the Metro-North train station, Harbor Square features 188 luxury rental apartments in a wide variety of one- and two-bedroom layouts. Many of the units feature separate powder rooms and den/studies with some large enough to function as a guest room. As a waterfront property, many units offer bay windows and balconies with breathtaking views of the Hudson River, spokesmen said.

One-bedroom apartments range from a 683 square foot unit priced from \$2,395 to a unique 1,114 square-foot one-bedroom that lives like a home with a separate dining room, large den/guest room and two full baths priced at \$3,295, officials said. Two bedroom units range from \$3,195 for a 1,156 square-foot apartment to \$6,000 for a 1,448 square-foot Penthouse corner apartment with walls of glass and head-on river views, officials added.

Spokesmen said that the apartment homes at Harbor Square boast fixtures and finishes more often found in a luxury condo than a rental. The Euro-style open kitchens feature center islands or a Parsons table breakfast bar; white lacquer and wood grain cabinetry; quartz countertops; an under-mount sink with a bar-style faucet with pull down spout, glass backsplash and stainless steel appliances. The designer bathrooms feature walk-in showers in all master baths with an adjustable showerhead. The apartments - which have wood laminate flooring in living areas and premium carpeting in bedrooms - have large walk-in closets, window shades, solid core room doors and a ceiling fan in all master bedrooms, officials added.

As the only full service luxury rental building in Westchester’s river villages, Harbor Square offers 24-hour front desk concierge services, with package and dry cleaning acceptance and penthouse amenities, spokesmen said. The amenities include a spectacular club lounge with Hudson River views; a first-class fitness center with available personal trainers; a spa with available treatments from licensed massage therapists, a yoga/motion room with classes and a rooftop pool and sundeck with BBQ stations, spokesmen said.

Residents also have access to a business center and a café serving Starbucks coffee. There is even a pet wash, officials said. Residents of Harbor Square will also enjoy programming and events that include wine tastings, guest lectures, personal enrichment classes, musical performances, art shows, resident parties both in the club and poolside and curated field trips to local cultural and historic sites.

Harbor Square also features a destination restaurant, offering fine and casual dining along the Ossining waterfront, with an outdoor patio that seats 100 diners. The restaurant is currently undergoing interior construction and is scheduled to open in the fall, officials said.

Harbor Square marks the Westchester debut of Ginsburg Development’s GDC Rentals brand of luxury resort-style properties, which launched last year with the opening of Riverside, a 108-unit luxury rental on the Hudson River at GDC’s Harbors-at-Haverstraw community in Rockland County.

Other GDC Rentals Communities in development include River Tides at Greystone, a 330-unit luxury rental complex overlooking the Hudson in Yonkers, and The Lofts on Saw Mill River, which features 66 loft-style rental apartments in the Village of Hastings-on-Hudson. All GDC Rentals Communities are pet friendly and smoke free, officials said.

## About GDC

Founded in 1964 by Ginsburg, GDC is a premier residential developer in the northern suburbs of New York City. With 50 years of experience and market leadership, GDC has built many of the region’s most successful and prestigious luxury developments, many with a Hudson River and/or transit-friendly focus, officials said.

The developments include Harbors-at-Haverstraw, Livingston Ridge in Dobbs Ferry, Ichabod’s Landing in Sleepy Hollow, Mystic Pointe in Ossining, Marbury Corners in Pelham and Christie Place in Scarsdale. GDC’s developments have won numerous design and community planning awards. GDC also owns and manages a portfolio of commercial properties, primarily in Westchester County, officials added.

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## Houlihan-Parnes Marks its Special Anniversary on Jun. 9

RYE

Houlihan-Parnes Realtors celebrated its 125th anniversary at The Westchester Country Club in Rye on Jun. 9, company officials recently announced.

Founded in 1891 by Daniel J. Houlihan, an Irish immigrant, the company has always been family owned and operated. It has proudly celebrated its 125 years of continuous operations throughout 2016, spokesmen said.

The firm originally was founded as a carpentry and construction business. It has evolved into a multi-faceted organization featuring property ownership and development, as well as many related commercial service businesses, officials added.

Company spokesmen said that the firm is currently managed by James J. Houlihan, who joined the company in 1973 and became a managing partner in 1987. The other partner, James G. Houlihan, is currently inactive due to health considerations. Howard Parnes recently passed away.

Several members of the fifth generation of the Houlihan family have worked at Houlihan-Parnes Realtors in recent years. Bryan Houlihan, son of James J. Houlihan, is currently with the firm. James J. Houlihan’s other son, Michael McEvoy, recently joined the firm as a summer intern.

James J. Houlihan’s brother-in-law, James K. Coleman, and cousin, Jeremiah Houlihan, and Parnes’ nephews, Fred Stahl and Sheldon Stahl - and their mother, Barbara Stahl - have been with the company for years, officials said.

Proclamations honoring the anniversary event were presented by Westchester County Executive Rob Astorino; Michael B. Kaplowitz, chairman of The Westchester County Board of Legislators; and New York State Senator Jeffrey D. Klein (D-34 SD).

Proclamations were also received from:

- Bronx Borough president Ruben Diaz, Jr.;
- Bronx Chamber of Commerce Chairman Joseph Kelleher;
- Bronx Chamber of Commerce President and Chief Executive Officer (CEO) Nunzio Del Greco.

Houlihan-Parnes also received a New York City Council Citation from Council Member James Vacca, officials added.

Houlihan Parnes has been a member of The Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI) since 1977. Senior Director Steve McCulloch was president of the BRI from 2000 through 2003. McCulloch is currently a member of the Board of Trustees of the BRI. Senior Director Jeremiah Houlihan is also a member of the BRI’s Board of Trustees. A former chairman of the BRI’s Apartment Owners Advisory Council (AOAC), Houlihan is currently a vice chair of that organization, BRI officials said.



# BRI & Fidelity National Title Insurance Company Sponsor a Major Industry Networking Reception

An Impact Staff Report

LINCOLNDALE

The Building and Realty Institute (BRI) and Fidelity National Title Insurance Company of New York were joint sponsors of a Jun. 23 reception for building, realty and construction industry members.

More than 40 members of the building, realty and construction sector attended the networking event at The Anglebrook Golf Club in Lincolndale, BRI officials said.

Brett LaRocque, an associate vice president for Fidelity National Title Insurance Company of New York, coordinated the reception with the BRI's staff. Maggie Collins, director of membership, Jane Gill, controller, and Margie Telesco, office manager, were the BRI staff members who worked with LaRocque. Collins, Gill and Telesco also served as event hosts for the function.

The BRI, also known as The Builders Institute (BI), is a building, realty and construction industry membership organization. The association has more than 1,800 members in 14 counties of

New York State. Those members are involved in virtually every area of the building, realty and construction industry, BRI spokesmen said.

Based in Armonk, the BRI has been commemorating the 70th anniversary of its formation throughout 2016.

A photo report on the reception is below.

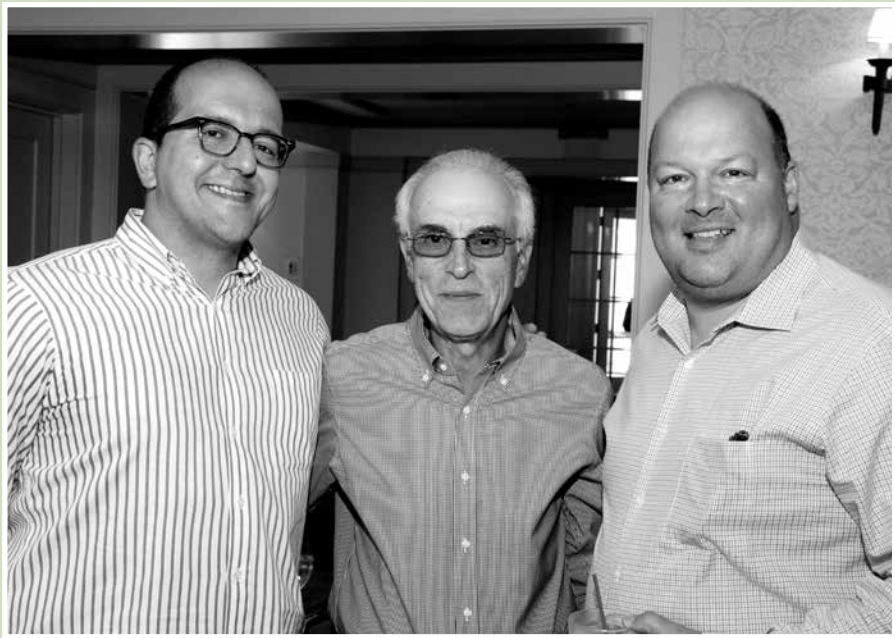
Photos by Barbara Hansen.



Pictured during the opening portion of the program are, from left to right, Michael Murphy, a Building and Realty Institute (BRI) member; Francine Camardella, a board member of the BRI's Remodelers Advisory Council (RAC); and Lisa Cordasco, a board member of the BRI.



Members of the Building and Realty Institute's (BRI's) staff enjoyed the camaraderie and coolness of a summer's evening during the event. Pictured are, from left to right, Event Hosts and BRI Staff Members Margie Telesco (Office Manager); Maggie Collins (Director of Membership) and Jane Gill (Controller).



Pictured enjoying a light moment at the event are, from left to right, BRI Board Members Joe Pizzimenti, also the chairman of the Remodelers Advisory Council (RAC) of the BRI; John Bonito, also a vice chairman of The Advisory Council of Managing Agents (ACMA) of the BRI; and Mike Beldotti, a past president of the BRI.

(Right) The event featured representatives of the building, realty and construction industry, as well as the general business sector. Pictured, from left to right, are guests from the Westchester-Fairfield County (Conn.) Chapter of the International Facility Management Association (IFMA), Janet Estevez, director of facilities management, Krasdale Foods; and Karen Haas, Certa Pro Painters. Haas is also a member of The Building and Realty Institute (BRI).



Pictured at a "Power Networking Discussion" at the event are, from left to right, Brett La Rocque, board member of the Building and Realty Institute (BRI); BRI member John Santacroce; Jane Gill, event host and controller of the BRI; and BRI Member Bill Demersky. Santacroce and Demersky are with Power Performance Industries (PPI), a new member of the BRI.



Shown sharing a laugh at the event are, from left to right, Jane Gill, event host and BRI Controller; and Steve McCulloch, BRI board member and a past president of the association.



# Reviewing and Understanding the New & Lengthy Major Capital Improvement (MCI) Applications

By Kenneth J. Finger, Daniel S. Finger, and Carl L. Finger

WHITE PLAINS

For those Landlords and Managers whose multiple dwellings are subject to the 1974 Emergency Tenant Protection Act (ETPA), the only way to recoup the cost of capital improvements from those tenants who are still subject to the controls of ETPA is through an application to the Division of Housing and Community Renewal (DHCR), now known as Homes and Community Renewal (HCR).

The application process, over the years, has been an arduous one, with a two-year limitation as to when the application can be brought after the work is done.

DHCR has, effective Sep. 1, 2016, issued a new application form, RA-79, for rent increases based on Major Capital Improvements (MCI's). Among other things, the new procedure allows an Owner to file an MCI application more than two years after the completion of the capital improvement work, provided that the delays in obtaining the government approvals was not the fault of the Owner, or its Contractor, and "all government permits and approvals were filed for in a timely manner."

DHCR has issued a new set of instructions for RA-79, consisting of five pages, for the new RA-79 form (nine pages).

It is noted, at the very start of the instruction form, that an MCI is available if the Owner has "completely installed, paid for, and applied for, or secured all required approvals and/or Certificates of Operation for building-wide improvements, such as windows, roofs, plumbing, electrical, burner/boiler, etc."

It is noted also that there are situations where a Cooperative or Condominium can file an application by the Managing Agent on behalf of the corporation and all shareholders, including the Sponsor.

Reference should be made to DHCR Fact Sheet No. 33, which is the "Useful Life Schedule for Major Capital Improvements," and DHCR Policy Statement 93-2 for "Definition of Room for Major Capital Improvements."

The useful life information is required on the new form. The new form also includes the different calculations for the amortization periods of buildings with 36 or more apartments, and those with 35 or less apartments. There are six (6) supplement forms attached to the application that must be completed before entering the requested rent increase on page 1 of the application.

These supplements are (1) The Owner and Contractor Affirmation; (2) Required information for specific MCI's; (3) Invoice Contract and proof of payment worksheet; (4) MCI Cost Allocation for commercial tenants; (5) Schedule of Tenants and (6) Co-op/Condo questionnaire.

The applicant must also include supporting documentation, including contracts for the work, cancelled checks and bank statements, proposals, invoices and municipality approvals. Different types of work require different documentation. If there are violations for hazardous conditions, these violations must be cured before the increase will be approved.

## A Long Checklist

There is an Owner Checklist (on page 2 of the application form) that should make it somewhat easier to file a completed application. That checklist reminds the applicant to: (1) Submit all contracts, proposals and /or invoices signed by both parties; (2) Submit all cancelled checks, bank statements and other proof of payment; (3) Assure that the contracts/proposals/invoices equal the claimed cost of the MCI (and if not, explain why); (4) Itemize each cost in the contracts/proposals/invoices; (5) Make sure that the Contractor/Vendor has signed all relevant supplements; (6) Complete supplement two for certain MCI items; (7) Submit all government permits/approvals for the MCI installations; (8) All payment proof - checks - equal the claimed costs (again, if not, explain why); (9) Complete supplement four as to commercial properties at the subject premises; (10) Assure that supplement five contains a current tenant list (accurate within 30 days of filing); (11) Compare room count in the application with prior MCI applications and explain any discrepancies; (12) Complete the Co-op/Condo Questionnaire, if applicable; (13) If required, is the building currently, and for four prior years, registered?; (14) If there are Lead Paint Violations for the building, are they removed?; and (15) Is the application - and all relevant supplements - signed?

An original and one copy of the MCI application and all supplements and all supporting information and documentation should be filed.

All Owners and Managers are encouraged to read and digest both the instructions and the form for the MCI so that all requirements are met. Mistakes and omissions will only delay the process. Good Luck!

**Editor's Note: Kenneth J. Finger, Daniel S. Finger, and Carl L. Finger are with Finger and Finger, A Professional Corporation. The firm, based in White Plains, serves as Chief Counsel to The Building and Realty Institute (BRI) and its affiliate associations, The Apartment Owners Advisory Council (AOAC), The Cooperative and Condominium Advisory Council (CCAC) and The Advisory Council of Managing Agents (ACMA).**

## Tech Talk

### Some Words of Warning to All - You Better Be Wary of the Cerber Virus!

By Andrea Wagner

DANBURY, CT

#### Beware of the Cerber Virus!

It could happen to you. It happened to me and I'm pretty computer savvy. There is a new form of malicious ransomware out there that is plaguing the business industry.

Ransomware is a computer virus that you get from opening a malicious document or email. It can even be from people you know, because their email addresses are being stolen.

When you open the malicious file in your pc, your computer will either freeze, or ask to run the app. Files will suddenly become encrypted and documents from the ransomware will be dropped into every folder.

The message is something like this:

Cannot find the files you need? That is because the files have become encrypted. Great! You are now part of a community, Cerber Ransomware.

It goes on to say that unless you have the encryption key, you cannot access your files and if you try to remove the virus on your own, the files will be permanently destroyed.

You usually have a few weeks to comply with their instructions to pay for the software and the key. They demand each victim to pay 1.25 in Bitcoins, which is approximately \$512 in U.S. dollars.

In February, Hollywood Presbyterian Medical Center handed over \$17,000. In June of this year, 57 percent of Microsoft Office users (source: SCMagazine) were hit.

Prime Healthcare, which runs a few hospitals, and Kansas Heart Hospital were forced to pay to retrieve thousands of patient files. But Kansas Heart paid and didn't get their files back.

It is strongly recommended not to pay the ransom as the Cerber key may not decrypt the data entirely. Also, it helps to perpetuate this nasty business. Security experts recommend removing the Cerber virus as soon as the victim notices that the computer has been compromised by it.

Luckily, I did not pay and I did not lose data. I had two backups, one on an external hard drive, and one in the cloud called Carbonite. I did not pay the ransom, but called upon my trusted Computer Troubleshooters (in Brookfield, Conn.) who immediately scanned my computer using malware and AVG cleaners.

**"You should be particularly careful about opening any attachments that come from unknown sources and are accompanied by suspicious emails. They may pose as representatives of governmental or law enforcement institutions, so it is recommended that you always check the legitimacy of such emails."**

#### Key Facts

Here are some tips:

- ❖ Cyber criminals mostly distribute this virus via spam emails, so make sure you do not open any suspicious emails that come from unknown senders. Even though most of such malicious correspondence comes up as "Spam," there is no guarantee that a virus-carrying email will not slip to your regular Inbox as well.
- ❖ You should be particularly careful about opening any attachments that come from unknown sources and are accompanied by suspicious emails. They may pose as representatives of governmental or law enforcement institutions, so it is recommended that you always check the legitimacy of such emails.
- ❖ Make sure you have a good backup in place. If you back up to an external hard drive, remove it during the day and back up at night once all is okay.
- ❖ Have a trusted IT professional make sure your malware protection is up-to-date. This is not fool-proof, but it can help you avoid a costly problem.

**Editor's Note: Andrea Wagner is president of Wagner Web Designs, Inc. The firm, a member of The Building and Realty Institute of Westchester and The Mid-Hudson Region (BRI), specializes in optimized small business Web Sites.**

# BRI's Annual Golf Outing

is raising funds for

# SHORE

## Sheltering The Homeless Is Our Responsibility

### Monday, September 26th, 2016

### Willow Ridge Country Club

123 North Street, Harrison, NY 10528


**Raffle Grand Prize: \$1500 Cruise Credit**

**\$325 per Golfer, Price includes caddies, golf cart, plus dinner & drink**

**Schedule:**

Registration	11:00 am
Lunch	11:30 am
Shotgun Start	1:00 pm
Networking Dinner	6:00 pm

For questions or to register please call Margie Telesco at (914) 273-0730 or email [Margie@buildersinstitute.org](mailto:Margie@buildersinstitute.org)





# A Review of Important Summertime Boiler Tips

By Mike Gregoretti

NEW YORK

## “Call me back in October.”

I can’t blame people when they say that to me. Many people look at the summer as a respite period from the hassles of winter property ownership. The fuel bills are low, there’s virtually no repairs and no one is calling 311 about their heat.

It’s fine to take some time off. However, if you wait until October to start to pay attention to your heating system, you can rest assured that you are in for another winter of expensive repairs and excessive fuel use.

Accordingly, here are our Top Five Summertime Boiler Tips:

### Summertime Tip One

Gas/Oil Consumption Analysis. Summer is the perfect time to review the fuel use in your building to see if it is operating efficiently. To perform a consumption analysis you will need two bits of information. First, the amount of fuel that your building used for heating and hot water for a 12-month period. This is easily obtainable by contacting the oil company and asking them for a fuel consumption report. This is basically a transaction report for the amount of fuel that your building used over the course of the previous year.

If your building utilizes gas you can obtain this information by going onto the utility website and looking at your gas consumption for any 12-month period or a review of your bills to determine therms used.

Once you have obtained this information you need to know the total square footage of your building. If you do not have this information handy, it is readily obtainable by going to New York City website <http://www1.nyc.gov/site/finance/taxes/property-data-and-lot-information.page>. Simply insert the address of your building. The information is available in the document called “notice of property value.”

Now it’s time for a little math. You’re looking for the fuel consumption of your building per square foot. Simply take the number of gallons of oil or the number of therms used in a 12-month period, and divide by the number of square footage in the building.

This measurement is a good barometer to measure your building against one that is operating efficiently. This calculation is a good rule of thumb. Of course, it does not take into account all the variables that affect the fuel use in a building, but it will give you a good idea of the efficiency of your building.

If your building is operating efficiently, your fuel use will be approximately .35 therms or .35 gallons of fuel per square foot in the building. For example, if you have a 10,000 square-foot building your annual fuel consumption should be somewhere around 3,500 therms or 3,500 gallons of oil annually. If it is significantly higher than that, you then have issues.

I recently went into an 18-unit apartment building in the Bronx. The building’s square footage was 14,500 and the property owner informed me that, in the last 12 months, they used over 18,000 gallons of oil. The property owners were shocked when I told them that they should be using approximately 5,000 gallons of oil per year to heat their building.

“Are you sure - we have had the building for over 10 years and the oil use has always been the same. Why didn’t someone tell us this before?” Those were their questions!

The bottom line is that plenty of people will sell you oil and gas, but no one is going to tell you that your building is using too much fuel. If you do this simple calculation you will know if your building is efficient, or if it is time to call in an Energy Auditor, or an Engineer, to figure out where all the energy is going.

A simple analysis of your heating equipment to determine fuel waste can be done by an Energy Auditor for less than \$500.

### Summertime Tip Two

Boiler Integrity Test – This is particularly important if you have a small building with the cast iron (SQUARE) boiler. One of the biggest issues with cast-iron boilers is that they can leak above the boiler water line and you would never be able to see it.

A portion of the casting inside a cast iron boiler is called the steam chamber, has no water inside it, and is very susceptible to cracking. The only way to determine if the boiler is leaking above the water line in this steam chamber area is to perform a boiler integrity test. This involves a simple process of filling the boiler all the way up with water until there is water pressure equal to about two or three pounds. If water starts to leak on the floor, it’s time to take the next step and have the boiler internally inspected /repaired or replaced.

If the boiler is leaking above the water line it’s better that you find out about it now because a leak like this will waste a tremendous amount of water and a tremendous amount of gas or oil. You should ask your heating service company to perform an integrity test at the same time that they do a preventative maintenance process. A simple boiler integrity test can be done professionally for about \$250.

### Summertime Tip Three

Boiler Room Cleanup/Checkup - The summertime is a great time to thoroughly clean the boiler room. The boiler room is the heart of your building and contains the single most important part that affects every tenant in the building. It needs to be given respect. The way you show boiler room respect is to keep it clean. Have your superintendent go into to the boiler room and thoroughly sweep the floor and remove any damaged/unused parts that are left there. Keep a broom, shovel and garbage pail with a heavy-duty garbage bag in the boiler room at all times. This will make it very easy for those coming to the building to keep it clean.

Make sure there is plenty of lighting so that service technicians and inspectors can see what they’re doing when they are servicing your building. Check the operation of boiler floor drains and sump pumps. These things typically get clogged with debris, oil, dirt, or soot. A properly operating drain or sump pump can be a lifesaver in the

event of a leak. It also makes cleaning and flushing the boiler a lot simpler for the maintenance technicians, saving you time and money.

Once you assure that the drain is working properly and there is a place for water to go, it is a good time to hose down or pressure wash the walls and floor of the boiler room.

If you show your boiler room respect, the people that come into the boiler room to maintain your heating equipment will show it respect also. A well-lit boiler room that is clean makes it easy for service technicians to thoroughly and properly diagnose any problems with your heating equipment. This saves you labor charges and makes it less likely that the service technician will leave the boiler room a mess when he departs.

Testing the boiler room floor drains and sump pumps should be done regularly by your in-house maintenance staff, or you can request it be done the next time a service technician is in the boiler room.

### Summertime Tip Four

Check the Operation of your Fuel Tank Gauge. This can easily be done by your superintendent. Simply measure the oil level inside of the oil tank and compare with the level on the tank gauge chart. They should match exactly. You need to make sure that the tank gauge chart has correct denominations on it for the size of the tank. This will enable you to accurately measure the oil use during the course of the heating season and accurately check oil deliveries as they are received.

Take a clipboard and attach an oil delivery/monitoring sheet and have your superintendent take readings on the tank at one-week intervals and before and after every delivery. This will give

you an accurate reading on the amount of oil that you’re using, as well as the ability to track deliveries. The sheet should contain a column for gallons in the tank, date and inches.

A well-maintained fuel gauge such as the “Petrometer Gauge” (<http://www.petro-meter.com/>) is a very accurate device that will give precise readings of the amount of fuel in the tank. When you monitor it closely it helps to eliminate delivery errors and running out of oil. Testing the accuracy of your oil tank gauge can be done professionally for under \$200.

### Summertime Tip Five

Install a Water Meter on Your Boiler - A water meter is a very important device because it enables you to know when your boiler or piping is leaking. Water meters are relatively inexpensive and can be installed on any boiler by a plumber or superintendent that is familiar with copper piping. Water meters, also known as Water Totalizers, can be purchased at any plumbing supply for approximately \$100 (or see Amazon for \$60.00 Dwyer® Multi-Jet Water Meter, WM2-A-C-01, 1/2” NPT, 20 GPM, Brass Body.)

The information that it supplies you is invaluable since there is really no way to tell if you have a boiler water leak that is underground or above the boiler water line.

Any steam or hot water boiler should not lose any more than 10 gallons of water per week. If your water use exceeds that it’s a sure sign that there is a leak someplace. Correcting that leak will assure efficient boiler operations and will aid in the longevity of your heating system. This is another good thing to track once a week on a clipboard. Installing a water meter on your boiler can be done professionally for about \$250.

**Editor’s Note: Mike Gregoretti is a Heating Specialist/Certified Energy Auditor. He is president of LESS OIL.COM, a member of The Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).**



## BRI Announces the Date of its Holiday Cocktail Party

By Jeff Hanley, Impact Editor

ARMONK

The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and the Mid-Hudson Region recently announced the scheduling of its Holiday Cocktail Party.

BRI officials said that the event has been set for Friday, Dec. 16, 5:30 p.m. to 9:30 p.m., at The Moderne Barn in Armonk (430 Bedford Road). The cost per person is \$50.

“We are very excited about this program,” said Albert Annunziata, executive director of the BI-BRI. “The party will be the final piece of our year-long commemoration of the 70th anniversary of our association’s formation. We are also happy with the location. I am sure our members will find The Moderne Barn to be a really special venue. We are anticipating that this will be a memorable program.”

Event officials said that full details on the party will soon be sent to BI-BRI members, as well as many additional members of the building, realty and construction industry. BI-BRI members - or members of the general business sector - can receive further information on the party by calling (914) 273-0730.

The BI-BRI is a building, realty and construction industry membership organization. The association has more than 1,800 members in 14 counties of New York State. Those members are involved in virtually every area of the building, realty and construction industry.

Based in Armonk, the BI-BRI is recognized as one of the leading business membership groups in New York State. The organization has been marking the 70th anniversary of its formation throughout 2016 with a variety of events and programs, spokesmen said.



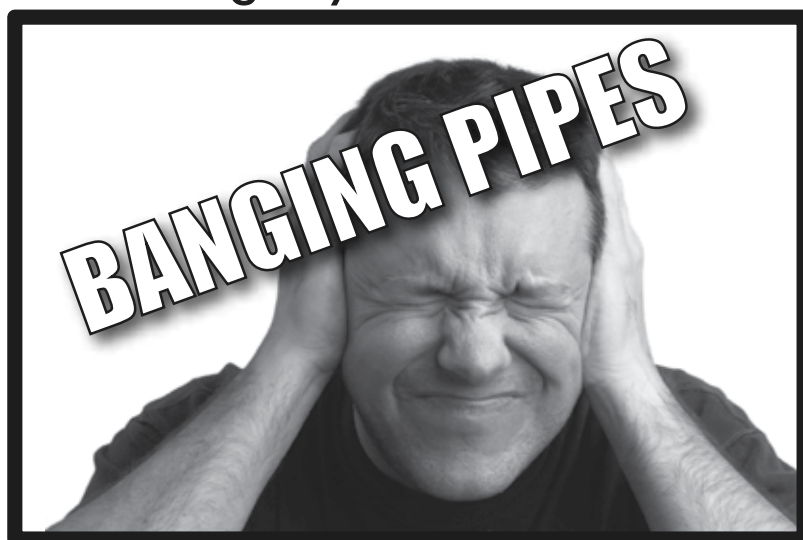
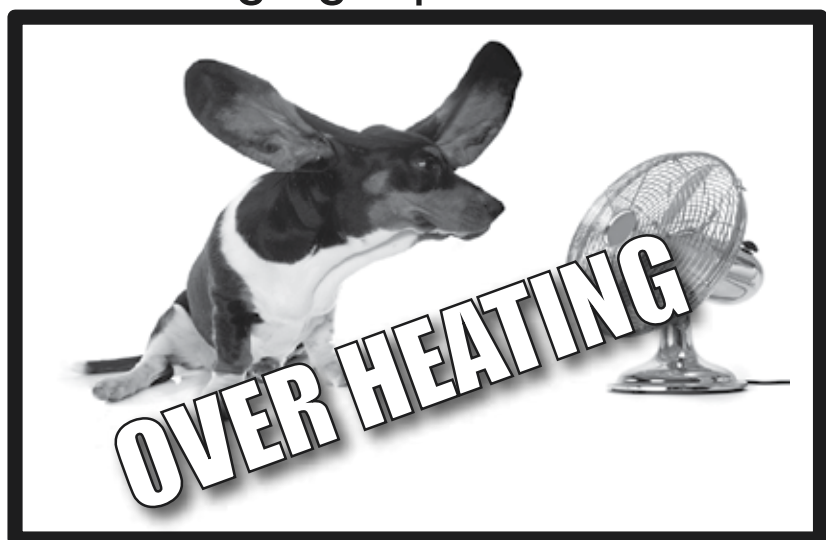
# PROBLEM SOLVED



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# BI/BRI Golf Outing Scheduled for Sep. 26

By Jeff Hanley, IMPACT Editor

## HARRISON

The Annual Golf Outing/Tournament of The Builders Institute (BI)/Building and Realty Institute (BRI) is set for Sep. 26, association officials recently announced.

The event will be at the Willow Ridge Country Club in Harrison. It is scheduled for an 11 a.m. start.

BI-BRI officials added that the outing will be raising funds for SHORE (Sheltering the Homeless Is Our Responsibility). SHORE is a not-for-profit housing organization.

“The reaction to the outing, once again, has been solid,” said Albert Annunziata, executive director of the BI-BRI. “The outing is one of our more popular social events, so we are urging our members to make their respective reservations as soon as possible. Those interested should act promptly.”

## The Specifics

Details on the outing are as follows:

- ◆ \$325 per Golfer (including caddies, golf carts, plus food and drink)
- ◆ Registration, 11 a.m.
- ◆ Lunch, 11:30 a.m.
- ◆ A Shotgun Start, beginning at 1 p.m.
- ◆ A Networking Dinner, starting at 6 p.m.

## Sponsorship Slots

Event officials also announced that sponsorship opportunities for the outing are available:

- ◆ Event Sponsor, \$1000
- ◆ Dinner Sponsor, \$500
- ◆ Cocktail Sponsor, \$400
- ◆ Golf Cart Sponsor, \$350
- ◆ Lunch Sponsor, \$300
- ◆ Tee Sponsor, \$200
- ◆ Cigar High Rollers/The “Groucho Marx” Sponsorship, \$750

Questions on the outing can be directed to Margie Telesco, event coordinator, at (914) 273-0730, or to [margie@buildersinstitute.org](mailto:margie@buildersinstitute.org).

The BI/ BRI is a building, realty and construction industry membership organization. The association, which is marking the 70th anniversary of its formation throughout 2016, has more than 1,800 members in 14 counties of New York State. Those members are involved in virtually every sector of the building, realty and construction industry, association officials said.

# Simone Development Announces its Acquisition of a 65,000 Square Foot Industrial Property in Port Chester

## PORT CHESTER

**Simone Development Companies has acquired a fully-occupied, two-story, 65,000 square-foot industrial flex property at 21 Grace Church Street in Port Chester for \$6.5 million, company officials recently announced.**

The property, acquired in an off-market transaction direct for the owner, Grace 21 Associates, LLC, is 100 percent occupied by Empire Coffee Company, Inc., AlbumX Corp. and the Port Chester Market Corporation, officials added.

“This property represents a rare find in the Port Chester market, a modern flex building with 22-foot ceiling heights, a 32,000 square-foot warehouse, two loading docks and modern, air-conditioned office space all under one roof,” said Joseph Simone, president of Simone Development. “The existing tenants are successful, long-time businesses based in Port Chester and this acquisition preserves these home-grown jobs, while providing an excellent long-term investment opportunity for Simone Development.”

## The Background

In 1984, Robert Richter and Steve Dunefsky (since retired) founded Empire Coffee to provide private label options to office coffee service and food service distributors across the country with a commitment to providing the best coffee at competitive prices, spokesmen said.

Spokesmen added that the business grew, and, in 1994, it moved to its current Port Chester location, a 40,000 square foot facility dedicated to roasting, grinding and packaging coffee for clients of all sizes. In 2013, the company evolved again and began developing custom retail packaging for its in-house brands, including Waterfront Roasters. Founded in 1988, AlbumX Corporation is doing business as Renaissance Albums. The company provides albums for professional photography studios throughout the world, officials said.

AlbumX operates a custom digital division that features a professional album shop and offers design, printing, mounting and binding services. It also provides a range of traditional and contemporary-styled albums. The company’s products are offered through professional photographers, authorized distributors and laboratories. It also offers a variety of marketing materials, such as sales brochures, tote bags and marketing kits. The company also provides various digital stock products that are ready-made and available for immediate delivery through its more than 30 distributors worldwide, officials said.

Simone Development Companies is a full-service real estate investment company specializing in the acquisition and development of office, retail, industrial and residential properties in the New York Tri-State Area, company officials said.

Headquartered in the Bronx, the privately held company owns and manages more than 5 million square feet of property in the Bronx, Westchester County, Queens, Long Island and Connecticut. The firm’s portfolio includes more than 100 properties and ranges from multi-building office parks to retail and industrial space. The company’s largest and most successful development is the 42-acre Hutchinson Metro Center office complex. The complex is directly off the Hutchinson River Parkway in the Pelham Bay section of the Bronx, company officials said.

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