



## BRI Leading the Fight Against the State's "Scaffold Law"

The continuing call of the business sector for reforms to New York State's "Scaffold Law" was the topic of the Feb. 11 Membership Meeting of The Building and Realty Institute (BRI). The program examined what business officials term as the many negatives of the law. **A report is on page 3.**

# Impact

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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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## State's Infrastructure Spending Needs Critical Boost to Meet Needs

By Albert A. Annunziata,  
Publisher, IMPACT

ARMONK

**R**ecently I had the pleasure of attending the Westchester-Putnam Professional Engineers Annual Awards Dinner.

One of the keynote speakers was a longtime and highly respected and knowledgeable civil engineer based here in the Westchester Rivertowns region. His remarks were somber, short and certainly not sweet.

He went to the hard and bitter point of the matter of our deteriorating infrastructure. Nationally, it's a mess. Statewide, it isn't much better. By "infrastructure," he was referring to - as I do here - the full spectrum comprising transportation (road, rail, bridges, tunnels, etc.) environmental (water, sewer), energy and communications. The broader one construes "infrastructure," the bleaker the picture and the more daunting and expensive the task of fixing "the problem."

Take water infrastructure in this state alone. According to Tracy Brown, director of western Long Island sound programs for Save the Sound: "Decades of insufficient investment in water infrastructure have left municipalities across New York facing costly repairs and unacceptable water pollution. Our communities need financial support from the state to bring these critical public health systems into 21st Century working condition."

On Jan. 13, the U.S. Environmental Protection Agency (EPA) released its 2016 Clean Watersheds Survey, documenting the need for wastewater infrastructure investments across the country. The results are staggering and sobering.

#### NY State's Staggering Water Problem

Among states, New York has the

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#### Affecting New Housing Developments:

### U.S. Supreme Court Upholds Inclusionary Housing

By Richard Hyman, Planning Consultant, IMPACT Contributor

WHITE PLAINS

On Feb. 29, the U.S. Supreme Court left intact a decision by the highest court in California allowing municipalities to require builders to include a percentage of affordable units in each new housing development.

This type of regulation, called Inclusionary Zoning, has been utilized across the country as a method to produce affordable housing without

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### Co-ops, Condos, Property Managers Concerned: Greenburgh Weighing Homestead Tax Option

AN IMPACT STAFF REPORT

WHITE PLAINS

The Town of Greenburgh is in the final stages of a complete reassessment of all property in the town for tax purposes. The stated purpose, according to town officials, is to remedy the inequalities that have resulted over time. To accomplish this, the town will reassess all properties to their full market value.

In the course of this process the Town Council will also vote on

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### Celebrating 70 Years of Advocacy and Service: BI-BRI Marking its 70th Birthday!

By Jeff Hanley, IMPACT Editor

ARMONK

**O**n the morning of Feb. 11, 1946, a small group representing Westchester County's building and real estate industry filed papers with the New York Department of State (DOS) in Albany to form a local industry association.

Eventually, a trade organization named The Home Builders Association of Westchester (HBAW) was born. Those HBAW officials, in all likelihood, were probably hoping that their small organization would gradually see a respectable level of growth.

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**Scaffold Law Crisis** The continuing call of the business sector for reforms to New York State's "Scaffold Law" was the topic of the Feb. 11 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI). More than 70 members of the local building, realty and construction industry attended the event at The Crowne Plaza Hotel in White Plains. A panel of business, building, realty and construction industry representatives examined what they termed as the many negatives of the "Scaffold Law" and its corresponding destructive effects on the business sector. Pictured during the meeting are, from left to right, Albert Annunziata, executive director of the BI-BRI; Matt Pepe, executive director of The Construction Industry Council (CIC)/The Building Contractors Association (BCA); Tom Stebbins, executive director of The Lawsuit Reform Alliance of New York State, and Jason Schiciano, a principal of Levitt-Furst Associates. Levitt-Furst Associates is the Insurance Manager for the BI-BRI. A full report on the event is on page 3. Photo by Barbara Hansen

# Insurance Insights

by Ken Furst and Jason Schiciano  
Levitt-Furst Associates



## A Review of the Winners and Losers in New York State's "Scaffold Law Game"

YONKERS

Most Impact readers are familiar with the premise of the 100+-year-old Scaffold Law (a/k/a New York Labor Law 240/241), which, as explained by scaffoldlaw.org, "imposes Absolute Liability" for elevation-related injuries on contractors and property owners engaged in construction, repair, or demolition work.

Absolute Liability means that the contributing fault of an injured worker, such as failure to use provided safety equipment or gross negligence, is virtually irrelevant in court. What you may not realize is that the Scaffold Law has detrimental effects on every membership group within The Builders Institute (BI)/Building and Realty Institute (BRI), as well as the communities in which we live and work.

Sheldon Silver, in his former role as New York State Assembly Speaker, was a powerful protector of the law, which, according to spokesmen for the state's general business sector, financially benefited him, and his fellow attorney colleagues (read last Impact issue, Vol. 14, No. 4 Dec/Jan With Sheldon Silver Out of the Picture, Does Scaffold Law/Lawsuit Reform Have a Chance?).

The start of the 2016 New York State Legislative Session - the first in 21 years to open without Silver as Speaker - brought renewed hope that the Scaffold Law might finally stand a chance of being repealed, or at least reformed.

Only a short time into the new legislative year, there are new concerns about current Assembly Speaker Carl Heastie's ties to a supporter of trial lawyers, raising concerns that Heastie, like Silver before him, will block Scaffold Law Reform.

Does reform ever stand a chance? While the real estate and construction industries continue to live with this archaic law as it languishes in political purgatory, let's review the big winners, and big losers, in the "Scaffold Law Game."

**WINNER**—New York Trial Lawyers: Plaintiffs' attorneys for injured workers reap millions of dollars in legal fees by initiating lawsuits citing the Scaffold Law for their clients' claims of huge monetary damages against property owners and contractors. Because of the law's "Absolute Liability" standard, defendants often have no choice but to settle these cases, resulting in all but guaranteed big pay-days for the plaintiffs' attorneys, who typically work on contingency, knowing that Scaffold Law case victories are almost always a "sure thing" in the "game."

**WINNER**—Negligent Injured Workers: Few would deny the right of an injured worker to collect monetary damages when the injury results from the negligence of a supervising contractor or property owner. However, when an injured worker can collect monetary damages - up to millions of dollars - even when the worker's gross negligence (failure to use provided safety equipment, intoxication, ignorance of safety rules, etc.) is a contributing factor to the injury, the "game" is unfair.

**WINNER**—Pro-Scaffold Law Politicians: Like so many things, politics is fueled by money. The Scaffold Law represents a financial windfall to injured workers (mostly the union workers who build the big New York projects) and trial lawyers. So, these beneficiaries make

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From the Editor's Desk

## Hanley's Highlights

by Jeff Hanley

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

ARMONK

### So, what do you think of our new look?

You've probably noticed, by now, that our publication has been completely redesigned. We are happy with the new design. We also hope that you are. The revised format is a joint product of our staff and of Roher/Sprague Partners of Irvington, our new production consultant.

The revision is another example of how the Builders Institute (BI) is marking the 70th anniversary of its formation throughout 2016. Our association is marking that anniversary with a series of events, programs and initiatives.

The highlight of that commemoration will be our 70th "Birthday Party" on Thursday, Apr. 21, 6 p.m. to 10 p.m., at The Glen Island Harbour Club in New Rochelle. The event will mark the long and distinguished history of the BI-BRI. Members of our organization will soon receive additional information on the party, which promises to be a memorable occasion.

Accordingly, a Page One Report in this issue provides a historical overview of our association and its growth into one of the most well-known and influential business membership groups in New York. The BI-BRI has more than 1,400 members in 14 counties of New York. Our members are involved in virtually every sector of the building, realty and construction industry. The Page One Report reviews the growth of our group from its inception on Feb. 11, 1946 to the present. And what a period of growth it has been!

Other reports in this issue include:

**The return of Co-op and Condo Corner**, a popular piece for members of our organization's Cooperative and Condominium Advisory Council (CCAC). Diana Virrill,

chair of the CCAC, authored the piece. The report will have rotating contributors from members of the CCAC's Board of Directors in our future issues.

**A report on the Feb. 11 General Membership Meeting** of the BI-BRI. The meeting examined the continuing calls of the business sector for reforms to New York State's "Scaffold Law." More than 70 members of the local building, realty and construction industry attended the event at The Crowne Plaza Hotel in White Plains. A panel of business, building, realty and construction industry representatives examined what they termed as the many negatives of the "Scaffold Law" and its corresponding destructive effects on the business sector.

**An overview in Counsels' Corner** for members of our association's Apartment Owners Advisory Council (AOAC). The summary reviews the new requirement of the New York State Homes and Community Renewal Agency (HCR) which mandates that Owners and Managers of Emergency Tenant Protection Act (ETPA) properties must now file their Annual Operations and Maintenance Cost Surveys (O&M's) on-line. The analysis was prepared by Finger & Finger, A Professional Corporation. The firm, based in White Plains, serves as chief counsel to our organization and its component groups.

**Reports from The National Association of Home Builders (NAHB) and The National Association of The Remodeling Industry (NARI)** on the current state of the building and remodeling industries.

**A summary from Maggie Collins**, our organization's new Director of Membership, on the series of membership initiatives and programs that the BI-BRI is producing.

**A report on Chappaqua Crossing** - termed by project officials as "a one-of-a kind development combining

*Continued on p. 11*

## Co-op and Condo Corner is Back!

By Diana Virrill, Chair, The Cooperative and Condominium Advisory Council (CCAC)

HASTINGS-ON-HUDSON

### Welcome back to Co-op and Condo Corner!

Readers of IMPACT were fortunate from the early 1980's to last year to have this column issue updates on key matters affecting the local co-op and condo sector.

Herb Rose, a noted consultant for many co-op and condo boards throughout the New York metropolitan area, authored those reports. His columns were magnificent, to say the least. His expert reports will be hard to follow. We wish him well in his future projects.

Mr. Rose was a member of the Board of Directors of The Cooperative and Condominium Advisory Council (CCAC) from the early 1990's to 2015. His guidance and reviews were extremely valuable to the CCAC and its parent organization, The Building and Realty Institute (BRI).

In an effort to keep the key updates flowing to our readers - and to members of the CCAC, the BRI and all of its component associations - this column will now have rotating authors. Most of the reports will be from members of the Board of Directors of the CCAC.

Since I am chair of the CCAC, I have been selected to issue the first report. I thought a good place to start would be to remind our readers and members of the local building and realty sector about our association.

The CCAC is a building and realty industry membership organization. We represent more than 300 co-ops and condos in the Westchester and Mid-Hudson Region. Since being formed in 1979, our association has provided our members with a series of valuable membership benefits. They include:

**Networking** - Belonging to the CCAC means meeting other board members from co-ops and condos in the Westchester and Mid-Hudson Region. It means exposure to new ideas and experiences from your peers, as well as advice from experts. As a member, you'll also belong to the BRI, providing access to its considerable sources and contacts within the real estate and building community.

**Insurance** - Membership in the CCAC allows you access to New York State Workers' Compensation Group 530. More than 500 co-ops and condos are members of the group, which helps cut the high costs of compensation insurance. Other insurance services are available through our insurance manager, Levitt-Furst Associates. Members should feel free to call the CCAC at (914) 273-0730 for further information.

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# New York’s “Scaffold Law” has Damaging Effects

## Negatives Examined at Meeting of The Building and Realty Institute (BRI)

by Jeff Hanley, Impact Editor

### WHITE PLAINS

The continuing call of the business sector for reforms to New York State’s “Scaffold Law” was the topic of the February 11th General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI).

More than 70 members of the local building, realty and construction industry attended the event at The Crowne Plaza Hotel in White Plains. A panel of business, building, realty and construction industry repre-

sentatives examined what they termed as the many negatives of the “Scaffold Law” and its corresponding destructive effects on the business sector.

Representatives of the building, realty, construction and business sectors have stressed that the “Scaffold Law” holds contractors and property owners absolutely liable in a lawsuit for injuries to workers, even if they had nothing to do with the plaintiff’s accident.

“The Board of Trustees of our association has identified the ‘Scaffold Law’ – otherwise known as the ‘Absolute Liability Law’ –

as one if its highest priorities for reform,” said Albert Annunziata, executive director of the BI-BRI. Annunziata served as moderator of the program.

He added: “This law is the only remaining law, in the only remaining state (New York) in the U.S. that literally affects everyone involved in building, construction and remodeling - whether they be contractor or client alike. The cost of this ‘Absolute Liability Law’ is in the billions. It is a huge cost - through exorbitant insurance premiums up-front, and ‘the sky’s-the-limit insurance settlements’ of lawsuits. Everyone pays and nobody truly wins!”

Annunziata said that the BI-BRI will continue its efforts in leading other business groups in the Westchester and Mid-Hudson Region to stress the “urgent need for reforms” to the “Scaffold Law.”

“We have worked closely with the Construction Industry Council (CIC), The Building Contractors Association (BCA) and The Business Council of Westchester in coordinating the proper responses and actions of our respective industries to this troublesome law, and the vital need to reform it,” Annunziata said. “We will aggressively monitor all developments related to this issue.”

Tom Stebbins, executive director of The Lawsuit Reform Alliance of New York State, was the keynote speaker at the program. Matt Pepe, executive director of the CIC/BCA and Jason Schiciano, a principal of Levitt-Fuirst Asso-



Tom Stebbins, executive director of The Lawsuit Reform Alliance of New York, is pictured while addressing the Feb. 11 General Membership Meeting of the BI/BRI. The meeting reviewed the efforts of New York’s business community that are calling for reforms to the state’s “Scaffold Law.” Stebbins was the keynote speaker at the event, which drew more than 70 members of the local building, realty and construction industry.



Jason Schiciano, a principal of Levitt-Fuirst Associates, is pictured on the right while addressing participants at the Feb. 11 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI). The meeting reviewed the efforts of New York’s business community that are calling for reforms to the state’s “Scaffold Law.” Levitt-Fuirst Associates is the Insurance Manager for the BI-BRI and its component associations. Albert Annunziata, executive director of the BI-BRI, is pictured on the left, at the podium.



Matthew Pepe, executive director of The Construction Industry Council (CIC) and The Building Contractors Association (BCA), was a panel member at the Feb. 11 General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI). The meeting, attended by more than 70 members of the local building, realty and construction industry, reviewed the efforts of New York’s business community that are calling for reforms to the state’s “Scaffold Law.” Pepe is pictured, on the left, during his presentation.

Photos by Jeff Hanley

ciates, also served as panel members. Levitt-Fuirst Associates is the Insurance Manager for the BI-BRI and its component groups.

The BI-BRI is a building, realty and construction industry membership organization. The association has more than 1,400 members in 14 counties of New York State. Members of the BI-BRI are involved in virtually every sector of the building, realty and construction industry. The organization is marking the 70th anniversary of its formation throughout 2016.

## The “State of Membership” for the BRI: Hello from the BRI’s New Director of Membership

By Maggie Collins

### ARMONK

#### Hello Members and Readers of Impact!

As your new Director of Membership I’d like to introduce myself and give you an idea of what my mission is here at BI/BRI and what it is I bring to it in order to accomplish the mission. But first I’d like to say just how delighted I am to be here. I first became acquainted with the BRI three years ago while attending a League of Women Voters meeting on Affordable Housing where I met Albert Annunziata. Soon after I had the opportunity to work for the Association on an ad-hoc basis, primarily at your General Membership Meetings.

As for my mission, first and foremost, I am here to increase membership. That is the bottom line. How will I do this? There are several components to it. One is organizing and sponsoring special events devoted to attracting prospective members in our industry/sector.

Another chief component is the Communications realm. I will be considering a wider publicity platform that informs and reinforces who we are and what we do.

As I write this, the newly designed *Impact* is taking shape and here you are reading it which brings me to advertising. Our sea-

soned Journalist and Editor-in-Chief, Jeff Hanley, will now have someone devoted to that side of *Impact* and his many talents can concentrate exactly where they are needed. You will see changes to our website as well. We are looking at a wealth and variety of initiatives which will gradually unfold and be implemented, or not, depending on their perceived efficacy. They are all geared to the satisfaction of our membership as well as increasing our numbers. This State of Membership column will keep you informed on all things membership, so don’t miss it!

Perhaps you are wondering what experience I bring to this mission to accomplish it. Sales and marketing comprises most of my working life. Most recently I worked for the National Opinion Research Center at the University of Chicago conducting an exhaustive and comprehensive study of Medicare in Westchester County. Before this, I worked for the United States Census Bureau. Both of these experiences gave me the knowledge, understanding and appreciation of how raw data is scrutinized, analyzed and transformed into information which drives effective public policy decisions. In fact, in learning about the BRI, I fully understand how advocacy for our industry is a vital responsibility of this association and it has performed very effectively in this role for 70 years, and counting.

My sales and marketing efforts began at the *Atlanta Journal Constitution* in Atlanta, GA where I spent many years in advertising sales. I then worked for Harper & Row, Publishers in the College Textbook Division where I called on professors at colleges promoting textbooks for their consideration. In academia, the word is “Adoption” not “Sales”!

A long career in sales ultimately taught me some important things: to Listen. And to respond with a solution, in a candid, helpful and compassionate manner. I’ve been fortunate in my professional life to really enjoy the work.

I’d like to say that my colleagues here at the BRI headquarters are truly wonderful to work with. There is vitality and dynamism in the air. A great deal of work occurs and is accomplished everyday here in Armonk. Without the welcoming spirit and help of Albert Annunziata, Jeff Hanley, Margie Telesco, Office Manager and Jane Gill, Comptroller, and so many of our generous members, these first weeks would have been a much harder road. A positive spirit of ‘can do’ pervades and I look forward to the bright road ahead!



Report:

# Builder Confidence Drops in February

WASHINGTON, D.C.

**B**uilder confidence in the market for newly built single family homes fell three points to 58 in February from an upwardly revised January reading of 61 on the National Association of Home Builders (NAHB)/Wells Fargo Housing Market Index (HMI). “Though builders report the dip in confidence this month is partly attributable to the high cost and lack of availability of lots and labor, they are still positive about the housing market,” said NAHB Chairman Ed Brady. “Of note, they expressed optimism that sales will pick up in the coming months.”

“Builders are reflecting consumers’ concerns about recent negative economic trends,” said NAHB Chief Economist David Crowe. “However, the fundamentals are in place for continued growth of the housing market. Historically low mortgage rates, steady job gains, improved household formations and significant pent-up demand all point to a gradual, upward trend for housing in the year ahead.”

Derived from a monthly survey that NAHB has been conducting for 30 years, the NAHB/Wells Fargo Housing Market Index (HMI)

***“Builders are reflecting consumers’ concerns about recent negative economic trends. However, the fundamentals are in place for continued growth of the housing market. Historically low mortgage rates, steady job gains, improved household formations and significant pent-up demand all point to a gradual, upward trend for housing in the year ahead.”***

— David Crowe, NAHB Chief Economist

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,” NAHB officials added.

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, rather than poor, NAHB spokesmen said.

### Expectations

The HMI component measuring sales expectations in the next six months rose one point to 65 in February, NAHB officials said. The index measuring current sales conditions fell three points to 65 and the component charting buyer traffic dropped five points to 39, officials added.

Looking at the three-month moving averages for regional HMI scores, all four regions registered slight declines. The Midwest fell one point to 57, the West registered a three-point drop to 72 and the Northeast and South each posted a two-point decline to 47 and 59, respectively.

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

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

## Industry Analysis: Housing Starts Fall 3.8 Percent in January

WASHINGTON, D.C.

**N**ationwide housing starts dropped 3.8 percent to a seasonally adjusted annual rate of 1.099 million units in January, according to newly released data from the U.S. Department of Housing and Urban Development (HUD) and the Commerce Department.

The data, analyzed in a report by The National Association of Home Builders (NAHB), also showed that Overall Permit Issuance edged down 0.2 percent.

“January’s production numbers are in line with our recent Housing Market Index (HMI) reading and show that builders are being cautious as they face some market uncertainties and supply-side constraints,” said NAHB Chairman Ed Brady.

“Despite the modest dip in starts this month, we expect to see ongoing, gradual growth in housing production in 2016,” said NAHB Chief Economist David Crowe. “An improving economy,

solid job creation and pent-up demand for housing should keep the market moving forward.”

Both single- and multifamily production dropped in January, the report said. Single family housing starts fell 3.9 percent to a seasonally adjusted annual rate of 731,000 units, while multifamily starts declined 3.7 percent to 368,000 units.

The report added that combined single and multifamily starts fell in all four regions in January, with the West, South, Northeast and Midwest posting respective losses of 0.4 percent, 2.9 percent, 3.7 percent and 12.8 percent.

Multifamily permits rose 2.1 percent to a rate of 482,000, while single family permits fell 1.6 percent to 720,000, the study said.

Regionally, the Midwest, West and South registered respective permit gains of 26.5 percent, 24.5 percent and 0.3 percent. Permits fell in the Northeast by 55.4 percent, according to the analysis.

## Remodelers Forecasting “Double-Digit Growth” in 2016, Industry Report Says

DES PLAINES, ILL

**R**esults from the National Association of the Remodeling Industry’s (NARI’s) fourth-quarter 2015 Remodeling Business Pulse (RBP) data of current and future remodeling business conditions show strong expectations of growth in 2016, NARI officials recently announced.

NARI remodelers, the report said, were asked for their projected sales changes for 2016. Results were surprisingly strong, with a projected average change of 13.1 percent. A total of 80 percent of remodelers expect some level of growth in 2016, versus only 10 percent seeing any level of decline, the report added.

The same remodelers, the study said, were also asked to rate sales in the first quarter of 2016 versus the same time last year. On a 1 to 9 scale, the average rating was 5.98, a significant decline from last year’s rating of 6.32 (ratings above 5 indicate growth).

The report said that the data still points to growth, but at a slower rate than in 2015. The majority (58 percent) of remodelers expect some level of growth in the first quarter, while only 14 percent see declines (the balance see unchanged sales).

As has been true for a number of waves of this study, postponed projects are the most important growth driver, the report said.

Economic growth and increasing home prices tied for the number two driver of growth.

Looking at current conditions, the average rating was a 6.05. The figure is virtually unchanged from the 6.03 recorded in September’s study, NARI officials said.

NARI remodelers rated four sub-components of the current conditions. Ratings for “Number of inquiries,” “Requests for Bids,” and “Conversion From Bids to Jobs” all experienced directional declines and were in a tight range of 5.73 to 5.75, the report said.

The only area that didn’t decline was the “Sales Value of Jobs.” At 6.21, that measure edged up slightly from September and is the strongest factor in current sales. Larger remodeling projects are the key area of strength, the report said.

**T**he study highlighted that:

- The “Number of inquiries” was at 5.73, down 4.8 percent;
- The “Requests for Bids” came in at 5.77, down 4.6 percent;
- The “Conversion of Bids to Jobs” was 5.75, down 1.0 percent;
- The “Value of Jobs” was 6.21, a 0.3 percent increase.

The report said that some comments made by survey respondents provided “a sense to what they are thinking.”

“I think sales in 2016 will be much better,” said a NARI Remodeler from the Midwest. “This month (December of 2015)

Continued on p. 5



### An Economic Overview

More than 85 members of The Builders Institute (BI)/Building and Realty Institute (BRI) attended the association’s Mar. 10 General Membership Meeting. “An Economic Overview” was the topic of the event at The Crowne Plaza Hotel in White Plains. Dr. Robert Goodman, a noted economic analyst, was the keynote speaker at the conference. Goodman is pictured at the podium during his presentation. Photo by Jeff Hanley

# Stillman Property Management Announces Seven New Clients in Westchester County and the Bronx

HARRISON

Stillman Property Management recently announced that it has been selected to provide property management services for a series of residential clients in Westchester County and the Bronx.

The clients announced by the company are:

- **Chatsworth Gardens**, a 75-unit condominium on 14 North Chatsworth Avenue in Larchmont;
- **Heritage Tower**, a 120-unit condominium on 15 Stewart Place in White Plains;
- **Media Lofts**, a 21-unit condominium on 50 Webster Avenue in New Rochelle;
- **Midland Avenue Owners Corp.** (Kimberly Gardens), a 404-unit cooperative on 1296, 1300 and 1304 Midland Avenue in Yonkers;
- **The Cambium**, a 143-unit condominium on 10 Byron Place in Larchmont;
- **Water's Edge**, a 76-unit condominium on 14 Water's Edge in Rye;
- **The Georgian**, 3701 Tenants Corp., a 52-unit cooperative on 3701 Henry Hudson Parkway in Riverdale.

"We are extremely pleased that the New York market is so strong, offering continued opportunities to expand our portfolio," said Roy Stillman, Esq., president of Stillman Property Management. "Our new office gives us easy access to clients throughout the New York metropolitan region, particularly those in Westchester County and the Bronx, and our years of onsite management experience enables us to help clients operate as smoothly and efficiently as possible. We are committed to providing professional, comprehensive property management services and we look forward to continuing that long-standing tradition in 2016." Stillman Property Management, at 440 Mamaroneck Avenue in Harrison, provides its services to more than 100 condominium, cooperative and rental properties in the greater New York metropolitan area. The firm, which recently moved its headquarters to Harrison, will manage nearly 900 additional units as part of the expansion, company officials said.

Established in 1985, Stillman Property Management is a family owned company with roots that date back to the early 1940's. Company officials said that Stillman Management uses a unique team approach to develop specialized management programs for each individual property, implementing administrative, financial, and maintenance procedures geared toward optimal operation. With a combined experience of more than 75 years, the firm's senior partners fully understand the onsite management process for complexes large and small, officials added.

## Remodelers Forecasting, Continued from p. 4

alone I had at least twice as many inquiries and signed five design agreements, when normally I don't sign any design agreements in December. All the agreements are for large projects."

Another NARI member added: "In our market, there simply tends to be a high demand for new and improved housing. Pent-up demand is the driving force for much of it."

"Projects appear to be larger," added another NARI member.

NARI is regarded as the premier association of remodeling professionals and industry experts dedicated to advancing the professionalism of the remodeling industry and educating the public on the benefits of using a qualified professional, association officials said.



### Bridging the Building Border

Representatives of The Home Builders and Remodelers Association (HBRA) of Fairfield County (Conn.) and The Builders Institute (BI)/Building and Realty Institute (BRI) met at the Feb. 14 Home Show in Stamford (Conn.). Albert Annunziata, executive director of the BI-BRI, (wearing a BI/BRI Cap, second from the left) was warmly welcomed by HBRA reps, left to right, Deanna Hiller, director of membership; Gina Calabro, executive director, HBRA; Connie Cooper, HBRA member; and Andrew J. LaSala, Jr., a builder/developer who is a member of both the HBRA and the BI-BRI.

- An IMPACT Staff Photo

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# Counsels' Corner Attention Owners & Managers of ETPA Properties - Your Surveys Now Have to be Filed Electronically!



Ken Finger

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

WHITE PLAINS

The Emergency Tenant Protection Act of 1974 (ETPA) established a Rent Guidelines Board (RGB).

The RGB meets yearly to determine a fair and proper rent increase for apartments subject to the ETPA. There are approximately 1,250 buildings containing approximately 25,000 apartments subject to ETPA in Westchester County. The increases are due for the period commencing Oct. 1st of each year through the following September 30th. The RGB sets the maximum increases for 1 and 2-year periods.

The statute says that in order to establish guidelines, as a Board, it "shall" consider, among the following things: the economic condition of the residential real estate industry in the affected area; real estate taxes and sewer and water rates; gross operating maintenance costs; costs and availability of financing; the overall supply of housing accommodations and vacancy rates; and relevant data from the current and projected cost of living and such other data as may be made available to it.

The information is secured from surveys sent out, prior to this year, by mail to all landlords whose buildings were subject to the ETPA. Every year the Division of Housing and Community Renewal (DHCR) - now the New York State Homes and Community Renewal Agency (HCR) - surveys the owners of rental properties containing ETPA units and the surveys request data for the prior 3 years. The owners have 45 days to respond after receipt of the survey form and submit the completed surveys.

DHCR advises that, after screening the surveys and in certain situations omitting those that may not be representative, they are entered into a data base and data tables are generated. These tables provide a 3-year comparison of the data and are stated to be designed to provide, as accurately as possible, a profile of the actual economic conditions of the ETPA housing in Westchester County for the prior year.

The RGB utilizes these schedules and the data together with presentations from the public, tenants and owners, together with submissions from Board members, as the basis of its consideration relative to the rent increases for the following 1 and 2 years.

As a member of the Westchester County Rent Guidelines Board (Kenneth Finger is a Owner Member of the RGB), one of the frustrations over the years has been the inability of the Division of Housing and Community Renewal (DHCR) - and now The New York State Homes and Community Renewal Agency (HCR) - to get the RGB the required survey data in time for the yearly hearings. This has been due to a myriad of reasons, including tardy survey submission and difficulty in tabulating the data.

This year, the HCR has advised the RGB that it is implementing an "on-line filing format" effective Mar. 1, 2016. HCR reports that beginning Mar. 1st, 2016, New York State Homes and Community Renewal's (NYSHCR's) Research and Analysis Unit will be implementing an on-line filing format effective on that date.

As such, the annual survey mailing by certified mail, return receipt requested will be discontinued this year. Beginning Mar. 1st, owners will need to access the 2016 survey forms and instructions for the ETPA Westchester County via the Owner Rent Regulation Applications (ORRA) System.

The system functions like the current annual registration process for owners of rent stabilized apartments in the ETPA counties and the City of New York. Owners will receive an e-mail with a User ID and password that they can use to file their survey form(s) on-line, unless they have already received an ID and password when filing their annual registrations with HCR.

**HCR advises that the result should be an easier and streamlined process for owners, as well as eliminating the cumbersome and labor-intensive process involved with the prior annual survey mailings for HCR.**

HCR advises that the result should be an easier and streamlined process for owners, as well as eliminating the cumbersome and labor-intensive process involved with the prior annual survey mailings for HCR.

This should be a significant improvement for the RGB to review the data in an efficient and timely form. In preparation for this change, HCR is asking all ETPA owners to check that their annual building/apartment registrations with HCR are up-to-date and current telephone and e-mail information is provided on these annual registration forms. This is especially true for the 2015 annual registrations.

If ETPA owners have never registered their property with HCR, they are asked to send an e-mail to HCR's Processing Services Unit (PSU) at [psu@nyshcr.org](mailto:psu@nyshcr.org). HCR Staff will be able to assist them with the on-line rent registration process. Also, if ETPA owners do not remember their User ID or password, they are instructed to select the appropriate link on the NYS HCR Single Sign-on page located at <http://www.nyshcr.org/Apps/RentReg/>.

HCR advises that its staff will be available to all ETPA owners if they have questions related to any ETPA survey matter. Owners are asked to call the Research and Analysis Unit at (718) 262-4912 or contact the unit via e-mail at [ETPA@nyshcr.org](mailto:ETPA@nyshcr.org).

**Editor's Note - The authors are attorneys 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.**

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Houlihan-Parnes Represents The Westchester Bank in a Mamaroneck Leasing Transaction

MAMARONECK

Houlihan-Parnes Realtors, LLC recently announced that it has represented The Westchester Bank in a 10-year lease for 2,050 square feet of storefront bank branch space at 301-305 Mamaroneck Avenue in Mamaroneck.

Jamie Schwartz of Houlihan -Parnes Realtors, LLC, represented the tenant. John Manous of Houlihan-Parnes Realtors represented the owner, officials said.

Schwartz said: “We were once again able to find the perfect space for The Westchester Bank’s fifth bank branch. The space was formerly a Radio Shack that had occupied the storefront for over 25 years. It was not on the market at the time of our search, and we were able to negotiate a deal for the space prior to Radio Shack rejecting the lease in its bankruptcy proceeding and vacating the space. It’s one of the prime storefront locations on Mamaroneck Avenue in the central business district, near many other national and regional banks.”

John Tolomer, president and chief executive officer of The Westchester Bank, said: “As we continue our strategic growth of our bank branch system, Mamaroneck was a desired location, both from a consumer and a commercial business banking aspect. As the leading community bank in Westchester County, The Westchester Bank is also recognized as one of the fastest-growing community banks in the country, with total assets in excess of \$570 million, loan balances in excess of \$470 million, and deposits of \$476 million.”

Norm DiChiara of Norman DiChiara Architects, P.C., designed the branch, officials said.

Houlihan-Parnes Realtors, LLC, is a nationally affiliated, multi-faceted real estate investment company headquartered in White Plains. Its companies and affiliates are engaged in the acquisition and ownership of all types of commercial real estate investment property in the continental U.S. Its various companies and affiliates specialize in commercial mortgage finance, investment sales, property management, leasing and mortgage servicing, officials said.

...Mamaroneck was a desired location, both from a consumer and a commercial business banking aspect.



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

**Referral Services** - The CCAC draws upon the formidable resources of the BRI for referrals on a variety of services for board members. Whether your board needs legal advice, investment counseling, real estate expertise or help with maintenance problems, a quick call to the CCAC/ BRI can help solve your problem. The association has hundreds of member supplier, service and professional firms at your fingertips.

**Information** - Members of the CCAC receive this publication on a bi-monthly basis. The publication covers key realty, building, business and construction news. Articles on realty management, banking, personal finance and new industry developments appear regularly in IMPACT. Members also receive periodic bulletins and notices on issues and events that are applicable to the duties and interests of board members.

**Lobbying** - Co-ops and condos can feel at ease knowing that the CCAC is their lobbying representative. The association maintains close contact with government officials to stay informed of any laws or regulations that may affect co-ops and condos. Please keep in mind that the CCAC/BRI is always monitoring issues on behalf of the co-op and condo sector, as well as the building and realty industry.

**Education** - The CCAC is proud of its continuing efforts to educate board members in every aspect of governing and managing co-ops and condos. Experts in real estate, law, insurance and utilities participate in the programs. The association has sponsored hundreds of membership meetings and seminars in recent years. We are proud of the strong attendance

that we receive at the events and the lively discussions that are produced during our conferences.

**Negotiations With Service Workers** - Many co-ops and condos draw heavily on the services of union workers. Board members are often called upon to deal with those workers in an effort to provide efficient, well-running services for the residents of the co-op and condo community.

The CCAC is equipped to negotiate with Local 32/BJ Service Employees International Union (SEIU), which represents building superintendents, handymen and porters. The association retains experts in labor negotiations to help those efforts. The organization is joined in negotiations with the BRI. Your co-op and condo can join with more than 430 buildings and complexes in a unified negotiating unit. The unit will represent your building or complex in an experienced and cost-efficient manner. Further details are available by calling the CCAC/BRI at (914) 273-0730.

I would like to take this opportunity to remind suppliers, service firms and professionals that they are eligible to promote their products and services to the CCAC through membership in the BRI. The result is the opportunity for interaction with hundreds of co-op and condo board members, as well as property managers. Information on BRI membership is available at buildinganrealtyinstitute.org, or by calling the BRI/CCAC offices at (914) 273-0730.

We are happy to have Co-op and Condo Corner return to IMPACT. And we look forward to the future reports of CCAC board members in this column!

# Development Case Study:

## Presales Exceed All Expectations at VillaBXV in Bronxville, Officials Say

BRONXVILLE

Opening for sales just as the holiday season began, 40 percent of the 54 homes at the VillaBXV in Bronxville were sold within a month and interest continues to be exceptionally strong, project officials recently announced.

The homes sold include three penthouses and four combination homes, officials added.

Situated in the heart of Bronxville - a highly desirable and walkable traditional village in Westchester County and just a 31-minute scheduled train ride from midtown Manhattan - VillaBXV offers beautifully-appointed homes designed with a blend of classic Mediterranean styling. The homes also offer European architectural features, with contemporary interiors, spokesmen said.

Spokesmen added that VillaBXV presents a unique opportunity to live in this one-of-a-kind community, where new in-town construction is infrequent, and Gateway Development, a company of Fareri Associates, the developer, anticipated that demand would be strong.

"We expected that when sales began there would be an excellent response," said John Fareri. "This is a special community and people have been waiting for many years for this site to be redeveloped. But the pent-up demand within Bronxville itself has been truly impressive. Of our first group of buyers, the majority are long-time village residents who want to remain here, but not in a large house. They were waiting for a viable option, and VillaBXV has provided it."



Plans to redevelop the site, which is a short distance north of Bronxville's Metro-North station, had been in the works for more than 10 years. A condominium building had been approved for the site, but as a result of the real estate recession, it was never built, officials said.

### A Unique Approach

Director of Sales and Marketing, Elise Platt - who has worked with a wide range of residential properties throughout the region for more than 30 years - took a unique approach to working with the initial group of buyers. With the building company President, Jim Carnicelli, she made house calls.

"I've been selling homes for a long time," she said. "We've worked out of tents, trailers, boats, storefronts, you name it. But this is first time we've made house calls," she said.

Officials said that Platt and her associates began working from a list of names of people who had expressed interest in buying once sales commenced.

"There were a number of interesting advantages that came from these meetings," Platt said. "You are in the

potential buyer's home and you can talk with them and gain a true understanding of how they live, what they like and what they would expect in a new home. I've spoken with the early buyers every week for a year - that extra lead time is a big advantage for those who are willing to commit early."

Platt added: "New home sales at this level are very different than they were 20 years ago. Today, you have to work very closely with the buyer. They are looking for

a home that fits the lifestyle they are accustomed to. Being able to meet those expectations is a key to completing the sale."

Fareri Associates, based in Greenwich (Conn.) and known for creating and building distinctive, high-quality properties that honor local character, was selected by the Village of Bronxville to purchase and develop the property, officials said. The company, working with Platt, designed the building with an emphasis on open floor plans, officials added.

### Features

Spokesmen said that the building will feature a 24-hour doorman/concierge. Spokesmen added that the lobby is open, bright and welcoming. The club room features a large screen TV, a piano, a bar and a catering kitchen opens wide to a courtyard with a pavilion, an outdoor bar, flat-screen TV and other amenities. The building also offers a fitness room that opens into a Zen Garden, officials said.

At the VillaBXV Presales Center at 19 Park Place in the village, prospective buyers can take a sophisticated virtual tour of the residences and stroll through a fully designed kitchen, and view samples of all available finishes, officials said.

The residences at VillaBXV's are priced, spokesmen said, beginning at \$1.1 million with penthouses in the \$3.6 range, well below comparable condominiums in Manhattan and Brooklyn.

The 1, 2 and 3-bedroom residences range in size from 1,300 square feet to more than 2,000 square feet, with the spectacular penthouses featuring roof-top terraces. Homes on the garden level offer expansive patios, officials said.

Flooded with natural light, the residences feature open plan great rooms and kitchens with gourmet islands, and are equipped

with appliances by Wolff, Bosch and Sub-Zero. Gracious master bedroom suites feature a spa bath with a glass-enclosed, wet room featuring a free-standing tub and separate shower, spokesmen said.

Officials said that the construction of an expansive parking garage that forms the base of the building is now well underway. As the garage is completed, work will begin on construction of the residences that will rise above it. Each residence includes garage parking. Residents are expected to begin moving in during the summer of 2017, officials added.

### Background

Fareri Associates is known for its 40 years of developing distinctive residential homes, as well as quality office and retail space, spokesmen said. Fareri specializes in high-end residential construction, and has a deep understanding of the quality, craftsmanship and lifestyle discerning homeowners demand, officials added.

The company's uncompromising commitment to excellence is evident on its successful residential and hospitality projects, officials said. They are:

**Delamar Court**, six luxury condominium units in Greenwich;

**Chieftans**, a community of 28 estate homes sited on the former Gimbel Estate in Greenwich;

**The Harbor at Greenwich**, a community of 11 luxury homes and condominiums in Greenwich;

**The J House**, an 86-room luxury boutique hotel in Greenwich.

John Fareri serves on the board of The Maria Fareri Children's Hospital, a world-class, all-specialty pediatric hospital in Valhalla. The \$200 million project was built in honor of his youngest daughter, Maria Fareri, officials said.

## Services Study:

# Property Owners and Managers: Size Matters when it Comes to Purchasing a New Boiler for Your Facilities!



By Mike Gregoretti, LessOil.Com

NEW YORK

Most property owners do not give buying a new boiler a lot of thought. The Standard Operating Procedure is to decide that the boiler needs to be replaced, either because it has failed or it has reached the end of its lifecycle. Then, call in three or more contractors for price, review the estimates, then choose the middle or lowest price. It

all makes sense, right? Not so fast!

The problem with this method is that it doesn't take into account that most boilers in the city of New York and elsewhere are oversized by as much as 300 percent, with oversizing by 200 percent being the norm, based upon this writer's experience.

So, why do heating professionals routinely oversize boilers?  
**Profits** - there is more profit in selling a larger boiler than a smaller one.

**The Fear Factor** - everybody is afraid of putting in a boiler that is too small for the building. Therefore, salespeople routinely take advantage of a customer's lack of knowledge and "Up Sell" on the size of the heating equipment.

**An ignorance** or a disregard of energy efficiency.

### Why Is It That Most Heating Boilers are Oversized?

When heating systems were installed into pre-World War II buildings, the general consensus among the engineers and people doing the installations was that bigger is better.

It was a routine practice to install larger heating equipment to accommodate for windows without weather-stripping, or for a lack of insulation, or for accommodating tenants that like to keep the

windows open, and for a lack of concern about the cost of oil and gas because it was so inexpensive. This problem is perpetuated by contractors that routinely replace old boilers with systems that are the same size as the one being removed.

### Why Should You Care If The Boiler is Oversized?

Oversized Boilers have a tendency to overheat buildings, cause significant fuel waste due to short cycling (going on and off too fre-

Continued on p. 8

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quently) and have greater maintenance costs than boilers that are properly sized for the building.

What Can Be Done About It?

The step that is routinely left out by both buyer and seller when purchasing a new boiler is the use of an energy professional or engineer to size the boiler for the building. This process is called performing a heat loss calculation (\$1,000 to \$3,500, depending upon the size of the building). This calculation involves looking at the construction of the building, the weather conditions for the area, the type of windows, the type of ventilation system, the type of heat distribution system and the desired inside temperature, along with several other factors to determine exactly how much heat will be needed in the building on the coldest day of the year (the coldest day of the year, aka outdoor engineering design temperature is 10°F for the New York Metropolitan Area).

Case Study (Subhead)

A Manhattan apartment building located on West 138th Street that has 20 apartments and 9,800 ft. of living space has an existing boiler that is rated for 1,300,000 BTU’s input. The client decided that it was time for a new boiler. He called in three plumbing contractors to give a price. Each of the plumbing contractors gave a price on a boiler that was exactly the same size as the existing system.

One even recommended that the boiler be increased in size to make sure that there was enough heat in the building under all circumstances. The property owner then commissioned our organization to do a heat loss calculation on the building. As it would turn out the maximum-sized boiler needed to provide hot water and heat the building was only 500,000 BTU’s (a 60 percent boiler size reduction from the existing system). The net result was a 38 percent savings in the first cost of installing the boiler (smaller boiler, smaller burner, smaller gas pipe, lower permit costs, faster installation), along with lower operating costs due to significantly reduced fuel consumption and lower maintenance costs.

An Interesting Fact

A little-known fact about boiler sizing is that a properly sized boiler would be running constantly on the coldest day of the year (10 degrees outside temperature). When this balance is achieved, it means that the boiler output is proportionately matched to the amount of heat that is needed in the building.

The Bottom Line

The effect on the bottom line for this building was substantial. Decreasing the size of the boiler and lowering the first cost made the financials for doing this project very compelling. The property owner elected to make additional improvements, including the installation of a heating computer and a separate gas-fired domestic hot water heater.

The entire project, including additional improvements, qualified for a Major Capital Improvement (MCI), turning the project into a money-making machine with a cumulative 10-year cash flow of more than 322 percent vs. the cost of the project and maintenance combined.

Equipment Choices

The property owner chose to install a slightly oversized 600,000 BTU, 15-hp steel fire tube boiler with a dual-fuel burner. The burner was connected to oil only at this time. The property owner has the option of installing the gas line at a later date.

The steel fire tube boiler was chosen despite having a greater cost than a cast iron boiler because of the ease of access for service and longevity.

The property owner chose an all copper conventional design water heater with two, 120-gallon hot water storage tanks connected with an electronic mixing valve. The all copper conventional water heater was chosen over an ultra-high efficiency, fully condensing water heater because New York City ventilation restrictions would make the ultrahigh efficiency equipment cost prohibitive to install.

The all-copper water heaters were chosen for the longevity and because they could be vented into a standard chimney.

**Editor’s Note:** Mike Gregoretti is a Rent Stabilization Association (RSA) member with 40 years of experience in the heating business. He is also a member of The Building and Realty Institute (BRI). His company, LES-SOIL.COM, specializes in energy waste reduction for heating systems. Call for your Free Energy Audit, at (877)453-7764, or contact mikeg@lesoil.com.

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The Ferrara Management Group, Inc. is proud to be a part of the 70<sup>th</sup> Anniversary of the BRI. Our company is comprised of a team of real estate professionals who have gained extensive knowledge through our years of affiliation with the BRI and its members. We look forward to the future and thank Albert, Jeff, Margie and Jane for their years of service. Welcome Maggie Collins as Director of Membership, we look forward to supporting you, helping increasing the membership and wish you great success!

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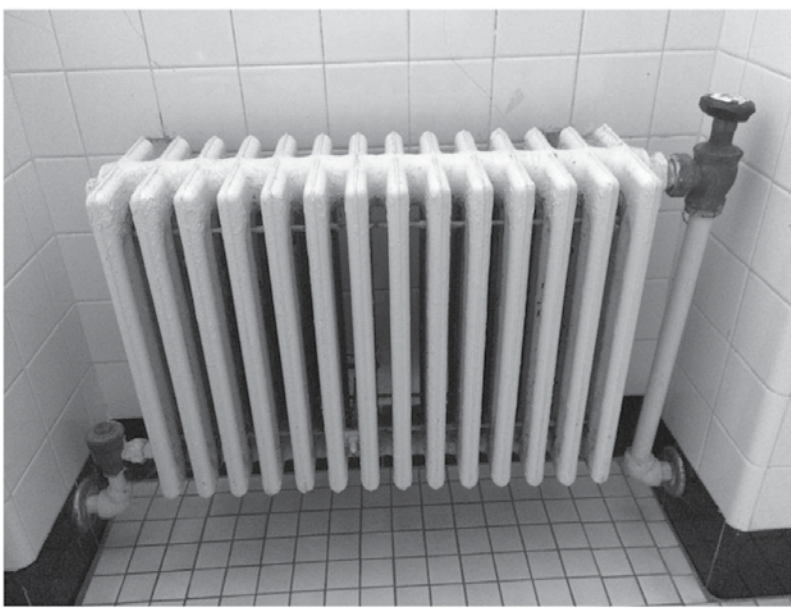
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## \$30 Million in Private Investment

Westchester County Executive Rob Astorino recently announced that Westchester's Industrial Development Agency (IDA) has approved support for a new 21-unit rental apartment building in Mamaroneck's Transit Oriented Development (TOD) Zone.

The building includes 2,500 square feet of commercial space, as well as two affordable residential units, officials added.

“The support approved by the Westchester IDA will help move forward \$30 million in private investment in rental housing, while creating more than 80 construction and permanent jobs,” said Astorino. “We are particularly pleased to see transit-oriented development projects, such as the one in Mamaroneck that are targeted to young professionals.”

Any corporation or small company looking to access the low-cost and tax-exempt project financing made available through the IDA should contact Bill Mooney, director of the office of economic development, at (914) 995-2943. Those interested may also use the email address of [billmooney@westchestergov.com](mailto:billmooney@westchestergov.com).

**LOSER**—New and Small Contractors: Because of the exorbitant claim payouts associated with the Scaffold Law, most of the short list of insurance carriers for construction contractors in New York will only write policies that exceed a certain minimum premium (insurers don't want to write a \$2,500 liability policy, and then be exposed to a \$1,000,000 Scaffold Law Claim). Minimum premiums can be \$100,000 or more (for contractors working in New York City),

**Editor's Note:** Levitt-Fuirst Associates is the Insurance Manager for The Builders Institute (BI)/Building and Realty Institute (BRI) of Westchester and The Mid-Hudson Region. Jason Schiciano of Levitt-Fuirst participated in the Feb. 11 General Membership Meeting of the BI-BRI that focused on the Scaffold Law topic. A report on that meeting can be found on page 3.

Secondo Settembre Quaranta - Nove, Comptroller

whether to adopt the Homestead Tax Option. The vote is expected by the end of March. It is a complicated procedure which, if adopted, will cause taxes to increase substantially for condominiums and cooperatives in Greenburgh.

Albert Annunziata, executive director of The Building and Realty Institute of Westchester and The Mid-Hudson Region (BRI), as well as The Cooperative and Condominium Advisory Council (CCAC), representing more than 500 local co-ops and condos, flatly said that the financial burden on Greenburgh’s cooperative and condominium communities would be too much for them to bear.

“All unit owners and shareholders should actively and aggressively oppose the adoption of the Homestead Tax Option if they want to keep their taxes as low as possible,” he said.

The ominous picture is in the details of the Homestead Option. Condominiums built as condominiums would, under the Homestead Tax Option, be reclassified as residential properties rather than as commercial properties which are assessed on an income and expense basis.

Historically, the income and expenses approach has kept the assessments on co-ops and condos at a lower rate. Valuing them as residential and assessed using the market value approach would undoubtedly increase their taxes.

Additionally, under the Homestead Tax Option, the taxes are based on the share of property taxes paid by the residential class of property owners in the year before the new assessments from the revaluation project. The local government has the option of freezing the residential class share of taxes at the percentage from the year prior to the revaluation. Thus, the Town would have two tax

rates, one for the residential class and one for the non-homestead properties (commercial properties).

Therefore, condominiums that were converted, cooperatives and apartment buildings (which would all remain classified as commercial under the Homestead Tax Option) would still be affected because even if the residential portion of the total assessed value of the town increased, the town would have the option of freezing the residential portion at the prior percentage.

In an effort to fight the dangers and potential inequalities that would result should the Town of Greenburgh adopt the Homestead Tax Option, the BRI and its Counsel, Daniel Finger (of Finger and Finger, A Professional Corporation of White Plains) joined forces with scores of co-ops and condominiums in Greenburgh and implemented a direct e-mail campaign to voice opposition to the Homestead Tax Option.

The Greenburgh Town Council recently discussed the Homestead Tax Option at one of its Work Sessions. The goal of the council reps was two-fold: to analyze the results of the reassessment and to further understand and consider all the ramifications bearing on whether or not to adopt the Homestead Tax Option.

One notable statistic from the reassessment results that the council highlighted in its discussion was the affected condominium units would see an increase in taxes of approximately 30 percent should the Homestead Tax Option be adopted.

“While the Town’s decision for adopting the Homestead Tax Option is still pending, the BRI and its counsel will continue to closely monitor the situation, on behalf of the hundreds of co-ops, condos and property managers, and the thousands of board members and unit owners in the Town of Greenburgh,” Annunziata said.

high-end retail stores, office space and luxury housing” - breaking ground on Mar. 1 in the Town of New Castle on the \$50 million retail component of its plan. About 75 people, including Town Supervisor Robert Greenstein and three former New Castle Town Supervisors who were in office during the project’s review process - as well as Deputy Westchester County Executive Kevin Plunkett - joined developers Summit/Greenfield Partners for the groundbreaking ceremony on the former Reader’s Digest campus off Bedford and Roaring Brook Roads.

**An analysis by Richard Hyman**, a well-known Planning Consultant, on the recent decision of the U.S. Supreme Court that left intact a decision by the highest court in California that allows municipalities to require builders to include a percentage of affordable units in each new housing development. The type of regulation, called Inclusionary Zoning, has been utilized across the country as a method to produce affordable housing without the need for government subsidies.

**A commentary/analysis on the need for additions to New York State's Infrastructure Spending.** The comprehensive summary/commentary was prepared by Albert Annunziata, the publisher of IMPACT and the executive director of the BI-BRI.

**A report on Houlihan-Parnes, Realtors** - a member of the BI-BRI since 1977 - marking the 125th anniversary of its formation. The company has been a valuable ally to our organization. Stephen J. McCulloch Jr., a senior director with Houlihan Parnes Realtors, served as president of the BI-BRI from 2000 through 2003. Jerry Houlihan, also a senior director with the company, is a former chair of the AOAC of our association. And, McCulloch and Houlihan are currently members of the Board of Trustees of the BI-BRI.

**The previous summary highlights just some of the many noteworthy articles featured in this edition. We hope that you enjoy the issue - and, again, our new format!**

the need for government subsidies.

Inclusionary Zoning was first adopted in Westchester County by the Town of Greenburgh, which has led to the production of 51 affordable apartments built by Avalon Bay Communities. Other municipalities, including White Plains and Port Chester, have also adopted Inclusionary Zoning.

The 2009 Housing Settlement Westchester County entered into with the federal government included the requirement that the county develop and promote Model Zoning Ordinance provisions requiring Inclusionary Fair and Affordable Housing.

In Westchester, the definition of affordable rental housing is affordable to households earning less than 60 percent of the County Median Income for its household size and affordable sales housing is affordable to households earning less than 80 percent of the County Median Income.

Over the last six years, 15 of the 31 municipalities covered by the Housing Settlement have adopted a version of the Model Zoning Ordinance and four other municipalities have stated that they already have similar regulations in place.

To date, 13 developments in eight municipalities have been approved with Inclusionary Fair and Affordable Units. These municipalities are Dobbs Ferry, Hastings, Mamaroneck Town, North Castle, Ossining Town, Pleasantville, Scarsdale and Somers.

Developments in these communities contain a total of 115 fair and affordable units. Other similar developments are in the pipeline. Both large national developers and smaller local developers have successfully utilized this constitutionally recognized requirement to provide affordable units in their developments.

31 acres and feature 91 Georgian-style townhomes. Amenities will include a clubhouse with exercise and meeting rooms, and landscaped terrace and gardens with access to on-site walking trails. Residents will have easy access to the Whole Foods Market and the new Life Time fitness center with a café, spa and children’s play area, providing suburban living with the convenience of in-town living. The nearby 300-seat Wallace Auditorium offers a setting for community functions.

A Rich History

Located on the site of the former Reader’s Digest headquarters, Chappaqua Crossing is a unique environment that was shaped by the founders of the famous magazine, Dewitt and Lila Acheson Wallace, officials said.

Beginning when the couple acquired the property in the late 1930’s, the Wallace’s set about to create a nurturing and beautiful environment for their rapidly expanding workforce that, at its peak, totaled several thousand. The original Georgian-style brick building with its signature cupola opened in 1939 and has been a landmark for generations of passing travelers on the Saw Mill Parkway and



The original Georgian-style brick Reader's Digest headquarters with its signature cupola, built in 1939.

Metro-North’s Harlem Line.

With the passing of the Wallace’s and major changes in the world of print publishing, the Reader’s Digest management made the decision to sell the property and, in 2004, it was acquired by Summit/Greenfield Partners. The publisher remained as a tenant in the building for five years. The new owners of the business relocated the remaining reduced operation to Manhattan, officials said

Attention Building, Realty and Construction Industry Members!

The next General Membership Meeting of The Builders Institute (BI)/Building and Realty Institute (BRI) has been scheduled:

Thursday, April 14, 2016 6:30 p.m.

The Crowne Plaza Hotel 66 Hale Ave, White Plains

Topic: “Challenges and Obstacles to Home Building in Westchester & Fairfield (Conn.) Counties - A Comparative Look”

Panel members from the Home Builders and Remodelers Association (HBRA) ofFairfield County and The BI/BRI will address the topic.

Advance reservations are now being accepted at (914) 273-0730, or jeff@buildersinstitute.org.

More information on this important event will soon follow.

# Schumer Proposes Legislation Aimed at Helping Local Owners and Managers with Lead Removal Processes

YONKERS

U.S. Senator Chuck Schumer (D-NY) on Feb. 29 announced proposed legislation that would directly address what he termed as the persistent lead problem in Westchester County and the Hudson Valley.

The proposed legislation, entitled The Home Lead Safety Tax Credit Act of 2016, would help homeowners, landlords, tenants and others remove lead from their homes, Schumer said.

Schumer said that paint with more than .06 percent lead was banned for residential use in 1978. He added that countless homes built before then contain toxic lead-based paint. He stressed that federal funding for lead poisoning prevention has plummeted, adding that Congress must act fast and pass the proposed legislation to help homeowners reduce the cost of removing lead from homes. Tax credits for owners are a major part of the proposed legislation, he said.

"While progress has been made in New York to combat this problem, lead poisoning still remains a major issue," Schumer said. "Based on the most recent Children's Blood Lead Surveillance Data compiled by the Centers for Disease Control and Prevention (CDC), in 2014 more than 2,300 upstate New York children tested were found with blood-lead levels of above 5 micrograms per deciliter, which is associated with permanent neurological damage and behavioral disorders, according to the CDC."

Schumer added that the CDC says even low blood-lead levels are a major concern

for children under six years of age because their brains are not fully developed and are sensitive to lead exposure. Out of 4,203 tested, 158 children in Westchester County were found to have lead poisoning. Schumer noted that approximately 42 percent of the county's housing stock was built before 1950.

"Lead poisoning is an irreversible, preventable tragedy that robs many families and children of their future," he said. "We need to do everything we can to eliminate this hazardous lead from Westchester and Hudson Valley homes, many of which were painted with toxic levels of lead before 1978, when it was banned."

"This tax credit, worth a total of \$4,000, and a critical increase in federal investments would help more families and communities get the lead out," Schumer said. "That is why I am introducing a bill with my colleague, Sen. Sheldon Whitehouse [D-RI], to finally give families, eligible landlords and homeowners a tax credit to help cover the cost of removing lead hazards in their homes. We need to act now and we need to act fast to get toxic lead out of our homes, before more young children and their families are impacted by lead poisoning."

Schumer said that, despite successful work over the past decade to reduce the number of children with high levels of lead in their blood, across the Westchester and the Greater Hudson Valley area there is still a large number of children now known to have blood-lead levels between 5-9 micrograms per deciliter. The CDC recently revealed that half a million U.S. children between the ages of 1-to-5 have blood-lead

levels above 5 micrograms per deciliter, which, since 2012, has been the level at which the CDC recommends public health actions be initiated, he added.

Schumer said this is particularly concerning given that 158 children in Westchester County - approximately 3.8 percent of those tested - were determined to have lead poisoning, according to the CDC's 2014 data.

"This underscores the continued need to bolster lead hazard abatement efforts," he said. "However, federal funding for lead poisoning prevention and remediation has plummeted in recent years."

Schumer added that Congress "must act fast to both restore historic funding levels" and to pass the legislation that he is co-sponsoring with Sen. Whitehouse, which, Schumer said "reduces the cost of removing lead from homes."

Schumer said that, accordingly, he has launched a two-pronged plan to combat lead poisoning across New York State and the Hudson Valley Region. He cited that the proposed legislation is aimed at providing federal tax credits to help homeowners and communities get lead out of their housing units. Schumer said the bill's proposals include:

- \*Covering up to 50 percent of the costs of removing lead in homes;
- \*The credit would be up to \$3,000 for getting rid of lead pipes, lead paint and replacing painted surfaces, windows or fixtures contaminated with lead paint;
- \*Issuing an additional tax credit of \$1,000 that would help to provide special-

ized cleaning, monitoring and resident education about lead paint contamination;

\*The tax credit being fully refundable and amendable against prior year returns, so the value can be claimed quickly;

\*The tax credit being available to households earning up to \$110,000 per year.

Schumer said the tax credit that would be created by his legislation would complement the existing grant program used by homeowners to reach more homeowners and encourage them to replace windows with lead paint, doors with lead paint and other lead paint hazards.

"Addressing these housing-related health hazards makes economic sense, as every \$1 spent to reduce home lead hazards provides a benefit of at least \$17," he said.

As the second part of his effort, Schumer said that he is pushing federal appropriators to increase funding for the U.S. Department of Housing and Urban Development's (HUD's) Lead Hazard Control & Healthy Home Grant Program.

Schumer was joined at his Feb. 29 announcement in Yonkers by Mike Spano, mayor of Yonkers; Thomas Meier, public works commissioner for Yonkers; Lisa Caswell of Early Childhood Development and Education and Social Services; Lou Albano, deputy commissioner for Yonkers Planning and Development; Frank Martinez, housing/rehab loan coordinator for Yonkers Planning and Development; Dr. Philip Landrigan, dean of global health at Mount Sinai's Icahn School of Medicine; and Dr. Allen Dozer, director of the Children's Environmental Health Center of the Hudson Valley.



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In the years ahead, the hopes of those officials about their group were most definitely realized. Their organization did indeed grow – by epic proportions, into one of the most well-known and influential membership associations in New York.

With its solid history and reputation of excellence as two of the focal points, The Builders Institute (BI)/Building and Realty Institute (BRI) is marking the 70th anniversary of its formation in 2016.

The association will be commemorating its milestone birthday with a series of special events throughout 2016. The highlight of that commemoration will be the association’s “70th Birthday Bash” on Apr. 21, 6 p.m. to 10 p.m., at the Glen Island Harbour Club in New Rochelle.

“The small group that started the process of forming the federation of associations that is today’s BI-BRI probably never dreamed of how large the group would grow,” said Albert Annunziata, executive director of the BI-BRI.

Annunziata added: “We have 1,400 members in 14 counties of New York State. Our members – Builders, Developers, Contractors, Sub-Contractors, Remodelers, Owners and Managers of Residential and Commercial Properties, Co-op and Condo Boards, Owners of Rental Apartment Buildings, Property Managers and Service Firms and Suppliers of Materials – are involved in just about every sector of the building, realty and construction industry. And our record of excellent advocacy and solid service to the industry speaks for itself.”

Annunziata added that the BI-BRI “has a lot to celebrate on Apr. 21 and throughout 2016.” He said the association’s positive record of achievements and service to the industry during its history is “quite impressive.”

BI-BRI officials said that when its staff recently reviewed literature associated with the commemoration of the group’s past anniversaries, a theme of determination and survival is consistently found.

Association officials cited the following phrase that was created by George Frank, executive director of the BI-BRI from 1954 to 2001, during the commemoration of the organization’s 50th anniversary in 1996. “Through wars, recessions, inflationary periods, economic disruptions – and countless emergencies and legislative battles – the BI-BRI continues to thrive while addressing issues of importance and providing services to its members.”

“That summary was true then, and it is still very, very true,” Annunziata said. “Our organization has always been there for its members and for the building, realty and construction industry. We continue to serve and represent through periods of good and bad.”

The Complete History

After 13 years of growth from that filing date with the DOS on Feb. 11, 1946, the HBAW decided to change its name on Mar. 11, 1959. The change resulted in the birth of The Builders Institute of Westchester and Putnam Counties, Inc. It also set in motion the evolution of what is currently the BI-BRI.

In 1971, The Apartment Owners Advisory Council (AOAC) of the BI-BRI was formed, providing the BI-BRI with its first major realty component. The AOAC represents Owners and Managers of rental apartment buildings throughout Westchester.

Another major realty component of the BI-BRI was formed in 1979 – The Cooperative and Condominium Advisory Council (CCAC) of Westchester and The Mid-Hudson Region. The CCAC represents boards of directors of co-ops and condos.

The Advisory Council of Managing Agents (ACMA) of the BI-BRI was created in 1985. ACMA represents property managers of co-ops, condos and rental apartment buildings and complexes.

The BI-BRI, based in Armonk, currently has six component associations. In addition to the AOAC, CCAC and ACMA, the BI-BRI is also composed of The Home Builders Advisory Council (HBAC), The Commercial Builders Advisory Council (CBAC) and The Remodelers Advisory Council (RAC).

“We are proud to represent virtually every sector of the building, realty and construction industry,” said Annunziata. “And, we are happy to join with our members in citing all of the accomplishments of our organization as we mark our 70th birthday.”

Annunziata cited Oct. 22, 2013 as an example of a day that he feels illustrates the well-known reputation of the BI-BRI.

“My colleague, Jeff Hanley (associate executive director of the BI-BRI) and I were thrilled to represent our organization when it received an award from New York City Mayor Michael Bloomberg during The Build NY Expo at the Jacob Javits Convention Center in New York,” Annunziata said.

He added: “The BI-BRI was honored for its contributions to the metropolitan area’s building, realty and construction industry. We were thrilled to participate in the recognition ceremony and represent our association.”

Annunziata admitted that, on that day, both he and Hanley thought about how the small group of building and realty industry representatives who formed the HBAW in 1946 would have felt about the BI-BRI receiving such an impressive award.

“Both Jeff and I said they probably would have smiled and said ‘not bad, not bad at all,’ ” Annunziata said.

An Industry Milestone:  
Houlihan-Parnes Realtors  
Marking its 125th Anniversary

WHITE PLAINS

Houlihan Parnes Realtors, LLC recently announced that it will be celebrating its 125th anniversary in 2016. Founded in 1891 by Daniel J. Houlihan, an Irish immigrant, the company has always been family owned and operated and is celebrating its 125th year of continuous operation, company officials said.

Spanning three centuries, the firm originally was founded as a carpentry and construction business. It eventually evolved into property ownership and development, as well as many related commercial services businesses, officials added.

The firm is managed by James J. Houlihan, who joined the company in 1973 and became managing partner in 1987. The company’s two other partners, James G. Houlihan and Howard Parnes, are currently inactive due to health considerations, according to company spokesmen.

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, currently works at the company. James J. Houlihan’s brother-in-law, James K. Coleman, his cousin, Jeremiah Houlihan, and the nephews of Howard Parnes, Fred Stahl and Sheldon Stahl, and their mother, Barbara Stahl, are longtime members of the company, officials said.

Spokesmen said that Houlihan-Parnes Realtors, LLC is a multi-faceted real estate investment company. Founded in 1891, the firm has been continuously family owned and operated since its inception. Its companies and affiliates invest and engage in the acquisition and ownership of all types of commercial properties throughout the U.S.

Company officials added that the firm specializes in commercial mortgage finance, investment sales, property management, leasing, mortgage servicing and advisory and consulting services. The company’s mortgage brokerage affiliate, Q10 | New York Realty Advisors, is a member of Q10 Capital, LLC, a leading commercial mortgage banking company with 22 offices in 20 states nationwide, spokesmen said.

Houlihan-Parnes Realtors has been a member of The Builders Institute (BI)/ Building and Realty Institute (BRI) since 1977, association officials said.

Stephen J. McCulloch Jr., a senior director with Houlihan-Parnes Realtors, served as president of the BI-BRI from 2000 through 2003. Jeremiah Houlihan, also a senior director with the company, is a former chair of The Apartment Owners Advisory Council (AOAC) of the BI-BRI. McCulloch and Jeremiah Houlihan are members of the Board of Trustees of the BI-BRI. The BI-BRI publishes this newspaper.

Services Profile:

Sunrise Solar Solutions

Sunrise Solar Solutions, headquartered in Briarcliff Manor, NY has spent the past decade helping businesses hike-proof their electric bills -- permanently. The largest locally owned and operated solar company in Westchester County and a large presence in the Hudson Valley -- Sunrise Solar Solutions has helped businesses slash power bills for nearly a decade by tapping into clean, renewable solar energy, officials said.

Our region pays some of the highest electric rates in the country, rising 4 to 5 percent a year for the past decade and over 25 percent in the last three years alone. By installing a solar electric system, you will never pay more for that portion of your electric bill - no matter how high rates climb. Your operating costs will actually go down, while you're contributing to a better environment, spokesmen said.

A full-service NYSEDA solar installer and NABCEP certified installer, Sunrise offers sales, design, and installation of state-of-the-art solar energy systems, and specializes in creating installations that are attractive and align with the design and style of every home and business. Sunrise primarily uses the highest quality and longest-lasting American-made materials, and because Sunrise is local, is more effectively able to manage and operate your system. Systems are typically cash positive in 4 to 6 years if purchased outright, or if financed -- are often cash positive from Day 1! Savings can often exceed 75 percent over the life of the system, officials added.

For more information, visit [www.sunrisesolarllc.com](http://www.sunrisesolarllc.com) or call (914) 762-7622.

The BRI’s “Birthday Bash”  
is Approaching –  
Don’t Miss the Fun!

The Builders Institute (BI)/Building and Realty Institute (BRI)  
is marking the 70th Anniversary of its formation with a  
Special Birthday Celebration:

Thursday, April 21, 2016 – 6 p.m. to 10 p.m.  
The Glen Island Harbour Club, New Rochelle, NY

Call (914) 273-0730 for further details.  
You may also inquire at [jeff@buildersinstitute.org](mailto:jeff@buildersinstitute.org),  
or [www.buildersinstitute.org](http://www.buildersinstitute.org).

Do not miss what promises to be a memorable occasion!

News for the Building and Realty Industries 13

*State's Infrastructure Spending Needs Critical Boost, Continued from p. 1*

nation’s largest documented need for investment, estimated at over \$36 billion in necessary wastewater infrastructure investments statewide. Additionally, the Department of Health (DOH) has identified over \$38 billion in drinking water infrastructure needs statewide over the next 20 years. DEC has also stated that at least \$1 billion be invested by all levels of government annually to meet local sewer infrastructure needs.

Nearly every New York community is facing high infrastructure costs and, often-times, is spending scarce resources to repair their existing assets. These communities face considerable investments to upgrade old systems so that they may get into a position where they can shift more focus toward maintenance and operations.

### Chaos in the City of Troy

The inability to keep up with needed investments was exemplified on January 17 when a more than century-old water main broke just miles from the Capitol Building in the City of Troy. Service was disrupted not only to residents and businesses of Troy, but several neighboring communities. This posed a significant immediate threat to public safety, prompted a cascade of emergency declarations, and presented an urgent need to invest in a lasting fix.

The goal is to prevent this and similar scenarios from being replicated throughout New York and across the rest of the country, as well.

The time has come to end a “band-aid” approach to infrastructure failure and commence a focused, properly-financed, pre-emptive campaign to systematically address these problems.

### Keynes’ Multiplier Effect, Tried and True

Dollars spent on infrastructure have multiple benefits for the economy, environment

and local government operations. It is estimated that every \$1 billion invested just in water and wastewater infrastructure can create more than 26,000 jobs, and the U.S. Department of Commerce estimates that for each job created in the local water and wastewater industry, 3.68 jobs are created in the broader economy.

Time and time again, history and the economic stats have shown that a sustained, committed investment, commensurate with the level necessary to meet the massive needs and demands of the supporting infrastructure to our economy, yields dividends in jobs, revenue and overall social and economic benefit far in excess of the original investment.

My colleague, Ross Pepe, chief executive officer (CEO) of The Construction Industry Council (CIC), minced no words recently when he stated, in a letter from statewide construction industry leaders to Gov. Cuomo: “Unseen doesn’t mean unneeded. Drinking and wastewater underground and treatment infrastructure across New York State is vital to the economic, health and safety needs of all state residents and taxpayers. We urge (the) Governor and the state Legislature to fund clean water municipal programs now.”

Indeed, I was privileged to add my name and voice to the cause, exhorting the governor and state legislators not to short-change the state’s commitment to infrastructure in the 2016 budget: “As a matter of practical, common-sense economic policy, there’s truly no such thing as a free lunch... we as a state and as a nation, must be willing to pay for a 21st Century infrastructure providing clean water, reliable roads, and sewage plants that

work efficiently and don’t foul our waterways, beaches, lakes and drinking water. It all comes at a price...

“The responsibility to provide leadership on this doesn’t end with our NY State officials and legislators but also extends to the national arena as well. Politicians must

realize that what costs pennies on the dollar to fix now, will cost 10-to-100 times as much if we continue to ignore these problems and allow precious time to slip away.”

As I wrote these words, I was reminded of the old show-business adage that “dying is easy but comedy is hard!” It’s going to take

a lot more than words to fix our infrastructure. The Governor’s 2016 Budget takes a step in the right direction, but it still isn’t enough.

If you look just at the statewide water problem, Gov. Cuomo’s 2016-17 budget proposal includes an increase to the New York State Water Infrastructure Improvement Act of 2015 of \$100 million over two years. At this level, it barely helps communities repair and replace degrading water infrastructure. The needs far exceed the funding made available by Gov. Cuomo. The State Legislature and its leaders must work with the Governor to commit an additional \$700 million necessary for water infrastructure grants to municipalities.

Have the problems gotten too great to adequately address? I hope not. More to come on this subject in future columns.

**Editor’s Note:** For detailed highlights of Gov. Cuomo’s budget for Infrastructure Needs, see the sidebar report below.

## Infrastructure Highlights

### Gov. Cuomo’s Fiscal Year (FY) 2016 N.Y. State Budget

- **A Third Track for Long Island Rail Road to Hicksville, L.I.**
- **Jacob Javits Center Extension -- 100,000 sq. ft.**
- **Penn Station/Farley GPO Renovation**
- **New tunnel under the Hudson River**
- **New modern LaGuardia Airport**
- **Invest \$26.1 billion in the MTA**
- **\$22 billion capital plan for roads and bridges**

**IMPACT COMMENT:** The state’s gasoline tax was supposed to provide \$5 billion to the Bridge Trust Fund, but only \$2 billion was apportioned. Many do not know where the other \$3 Billion will be coming from.

#### PROJECTS IN DEPTH

**BRIDGE NY Program** The 5-year transportation program includes \$1 billion to replace, rehabilitate and maintain vital State and Local bridges by addressing the needs of at least 200 bridges across New York.

**PAVE NY Program** The 5-year program includes \$1 billion for State and local paving projects that will ensure smoother rides for passenger and commercial traffic and result in fewer costly delays and slowdowns. Up to 1,300 lane miles of paving will be addressed over the plan period.

**Extreme Weather Infrastructure Hardening Program.** The plan includes \$500 million over the 5-year program period to improve roadways that have proven susceptible to flooding and other extreme weather-related events so that they remain safe and passable.

**Freezing Tolls Until at Least 2020** The Executive Budget includes a new capital appropriation of \$700 million, on top of last year’s commitment of \$1.285 billion, to support capital projects throughout the Thruway system. This State investment in Thruway infrastructure will allow for tolls to be held at current rates until at least 2020.

**Clean Water Infrastructure** The Budget includes an additional \$100 million two-year commitment for municipal drinking water and waste water infrastructure grants, for a total \$250 million commitment including re-appropriations. These funds will be used in conjunction with the Environmental Facilities Corporation’s (EFC’s) revolving loan program.

**IMPACT COMMENT:** Even \$250 million is woefully insufficient to meet the state’s critical water infrastructure needs.

**Airport Economic Development and Revitalization** The Budget provides \$200 million for an upstate “competition” to accelerate investments in commercial passenger and cargo service airports. The State will award grants to five airports of approximately \$40 million each. Grants will fund projects that enhance safety, improve operations and access, reduce environmental impact, and create better passenger experiences. Successful proposals will create jobs, incorporate sustainable “green” building techniques, use renewable energy, demonstrate support from airlines and the community, leverage private investments, and demonstrate cost effectiveness.

**IMPACT COMMENT:** Where does all this money come from? Any increased amounts still fall short of the necessary levels to address the particular infrastructure sector problems? The governor’s budget draws heavily from the \$2.3B pot in settlement funds collected by the state (money from Wall Street lawsuits settlements). About half of the money is going toward the following less than exciting purposes:

- **Stabilize Thruway Authority – \$700 million**
- **Toll Reduction Plan – \$340 million**
- **Transportation Capital – \$200 million (in administrative costs pegged to the \$22B in Capital Projects!)**

# The Builders Institute of Westchester

## Celebrating 70 Years

as the Largest, Independent Trade Association  
Serving the Building Industry in  
Westchester County and throughout the  
Hudson Valley Region



*Staff, clockwise from left to right:*

**Albert Annunziata**, Executive Director; **Jeff Hanley**, Associate Executive Director;  
**Margie Telesco**, Office Manager; **Jane Gill**, Comptroller; **Maggie Collins**, Director of Membership

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**BRI**

**ACMA**



COOPERATIVE &  
CONDOMINIUM  
ADVISORY  
COUNCIL

# Summit Breaks Ground on \$50 Million Retail Portion of Chappaqua Crossing

## CHAPPAQUA

After 11 years of review, Chappaqua Crossing - termed by project officials as “a one-of-a kind development combining high-end retail stores, office space and luxury housing” - broke ground on Mar. 1 in the Town of New Castle on the \$50 million retail component of the plan.

About 75 people, including Town Supervisor Robert Greenstein and three former New Castle Town Supervisors who were in office during the project’s review process - as well as Deputy Westchester County Executive Kevin Plunkett - joined developers Summit/Greenfield Partners for a groundbreaking ceremony on the former Reader’s Digest campus off Bedford and Roaring Brook Roads.

“I am very proud of what we have accomplished in partnership with the town,” said Summit Development President Felix Charney, a principal in Summit/Greenfield. “This is a unique project - there is nothing else like it in Westchester. Not only will it bring great amenities like a Life Time and sought-after retail stores like a Whole Foods Market to northern Westchester, but it will provide



Pictured above is a rendering of the Whole Foods Market of the Chappaqua Crossing Development. The market, expected to open in 2017, will be a 40,000 square-foot facility, project officials said.

luxury housing, as well as a cultural center and improved infrastructure that will benefit the entire community.” New Castle Supervisor Robert Greenstein said: “What started out as the longest and most controversial application in our Town’s history, ended up as an example of the benefits of working together. Together we ensured the residents of New Castle the best outcome, amenities and aesthetics as well as the tax dollars we need. Chappaqua Crossing will once again provide a strong contribution to our commercial tax base, while, at the same time, creating new amenities for residents and preserving the character of the surrounding neighborhood. I look forward to continuing to work with all of our neighbors, including Summit/Greenfield, to ensure that this development is in the best interests of the community.”

Also in attendance were former New Castle Town Supervisors Janet Wells, Barbara Gerrard and Susan Carpenter.

Designed with careful consideration for the natural setting and the classic Georgian architectural style of the original headquarters building - an iconic symbol for generations of American readers - Chappaqua Crossing presents a harmonious backdrop for its unique, new



multi-faceted development. Summit will be building the retail project in partnership with The Grossman Companies of Boston, officials said.

Chappaqua Crossing, spokesmen said, includes:

- ❖ More than 500,000 square feet of rental office space with high-end amenities including a full cafeteria, conference center and 24-hour security. Current tenants include Northern Westchester Hospital and Mount Kisco Medical Group.
- ❖ More than 120,000 square feet of retail space featuring a Whole Foods Market, Life Time fitness center, shops and restaurants.
- ❖ The North Village with 91 luxury townhomes in a beautiful hilltop setting with landscaped terraces, gardens and walking trails.
- ❖ Fifty acres of permanent open space surrounding the entire site.
- ❖ 28 units of affordable housing located in the property’s signature cupola building.
- ❖ A shuttle connecting to Chappaqua’s Metro-North station. Of the new construction,

## A Noteworthy Groundbreaking

After 11 years of review, Chappaqua Crossing - termed by project officials as “a one-of-a kind development combining high-end retail stores, office space and luxury housing” - broke ground on Mar. 1 in the Town of New Castle on the \$50 million retail component of the plan. Pictured at the event are, from left to right, Deputy Westchester County Executive Kevin Plunkett; Summit Development President Felix Charney; New Castle Town Supervisor Robert Greenstein; and Michael Kaplowitz, Chairman of the Westchester County Board of Legislators.

the retail village will come on line first, with the Whole Foods Market expected to open in 2017. The 40,000 square-foot market will offer all the products and services that make Whole Foods Market a top name in the organic and natural foods industry, as well as one of the top 100 places to work in America, as designated by Fortune Magazine for the past 18 years, officials said.

The planned development is a model for how a large, single-tenant corporate office campus can be adaptively re-used, Charney said.

Charney added that the development would improve the quality of life in the community. As part of the agreement, the developers will make improvements to the Horace Greeley High School driveway and create a roundabout at the intersection of 117 and Roaring Brook Road to improve traffic flow.

The developers will also lease the property’s Wallace Auditorium as a municipal performing arts center for \$1 a year with the option for the town to acquire the facility. Charney added that the completed project will generate millions of dollars in tax revenues for the Town and the Chappaqua Central School District.

## Luxury Townhomes

The North Village is expected to break ground in the spring of 2017. It will be set on

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

### ARMONK

**The Board of Trustees of The Builders Institute (BI)/Building and Realty Institute (BRI) - as well as the association’s staff - recently welcomed the following new members to the organization (the entities joined in February and March).**

*The BI-BRI is a building, realty and construction industry membership association. The organization has members in 14 counties of New York. Members of the BI-BRI are involved in virtually every sector of the building, realty and construction industry.*

*Based in Armonk, the BI-BRI is marking the 70th anniversary of its formation throughout 2016, association officials said.*

- An IMPACT Staff Report

Maken Land Development Two, LLC

Omega Industries

John M. Glover Agency

Cohn Reznick, LLP

District Sun

Roher/Sprague Partners

Abilene Inc.

The Westchester/Hudson Valley Chapter of The American Institute of Architects (AIA)

Anker Management Corp.

Sunrise Valley Realty LLC

C & J Construction & Painting LLC

Casa Construction Corp.

CMB Safety Consultants LLC

Double D Contractors, Inc.

Gallagher Roofing Inc.

Integrity Building & Consulting Inc.

Iridium Development Inc.

Rebosio Construction Services, LLC

Scorpion Interiors Inc.

Silva Renovations Inc.

T.G. Elliot Group Inc.

Opera House Lofts

The Carriage Houses at Hudson Harbor Condo

40 Love Associates Ltd.

