

# IMPACT

## BUILDING & REALTY NEWS

VOL 6 NO 2 SERVING WESTCHESTER AND THE MID-HUDSON REGION

FEBRUARY/MARCH 2007

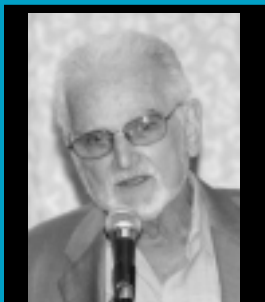
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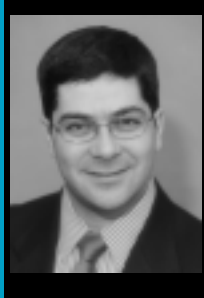
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and DANIEL S. FINGER  
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## Spitzer, Legislative Leaders Announce Workers' Comp Reforms

By Matthew Maguire, The Business Council of N.Y. State

ALBANY – Gov. Eliot Spitzer and New York's legislative leaders last week announced a landmark agreement to reform the state's workers' compensation system.

The reforms, according to business leaders, will cut employers' costs by 10 to 15 percent, with more savings to follow, and increase benefits for injured workers.

"This is a remarkable win-win situation for both workers and employers," Spitzer said. "Thanks to the cooperation of legislative leaders and staff, and with constructive input from business and labor, we've developed an approach that will achieve the twin goals of helping injured workers and improving the state's competitiveness."

The announcement culminates three months of intensive negotiations among the Spitzer administration, legis-

lative leaders, the leadership of The Business Council of N.Y. State and the state AFL-CIO.

Business Council President Kenneth Adams hailed the deal.

"This is a major step forward toward reducing the cost of doing business in New York State," Adams said. "It's a big win for improving our economic climate, especially upstate."

"With this plan, we strike a balance by establishing a more effective and just compensation system for injured workers, while also providing insurance premium savings to employers," said Assembly Speaker Sheldon Silver (D-64 AD).

#### Significant Savings for Employers

Sen. Majority Leader Joseph Bruno (R-43 SD) added: "The agreement on

workers' compensation reform is a tremendous victory for workers, who will receive increased benefits, and for businesses that will see a significant reduction in premiums."

Senate Minority Leader Malcolm Smith (D-14 SD) and Assembly Minority Leader James Tedisco (R-110 AD) also hailed the agreement.

The agreement will give New Yorkers the kind of changes to workers' compensation that Gov. Spitzer promised when he spoke to The Business Council last September as a candidate for Governor.

In that address at the Council's Annual Meeting, Spitzer specifically called for limiting the duration of benefits in permanent partial disability cases, creating aggressive rehabilitation and retraining programs, attacking fraud, im-

*Continued on page 3*

## AOAC Begins Its Preparations for Upcoming Guidelines Hearings

By Jeff Hanley, IMPACT Editor

WHITE PLAINS – Representatives of the Apartment Owners Advisory Council (AOAC) have begun the association's preparations for the realty industry's testimony on rent guidelines increases for rental apartment buildings affected by the Emergency Tenant Protection Act (ETPA).

AOAC officials last week said that the association has begun to coordinate the industry's strategy and eventual presentations for the upcoming public hearings and deliberations of the Westchester County Rent Guidelines Board.

The board, which was scheduled to meet on Mar. 7, has not yet scheduled the dates of its hearings and deliberations.

The guidelines board, which is composed of nine members, is the entity that annually rules on increases for lease renewals. The board reaches its decision after three public hearings and separate deliberations. The decision

will affect rent adjustments for one or two-year leases which begin between October 1, 2007 and September 30, 2008.

The AOAC—a realty industry membership organization of more than 300 owners and managers who are responsible for more than 25,000 units in the Westchester and Mid-Hudson Region—began to discuss its strategy for the public hearings and deliberations at its Jan. 30 membership meeting. AOAC officials and members also discussed the association's overall goals and strategies for 2007.

"Once again, we are stressing the need for realty industry members to deliver testimony at the public hearings," said Jerry Houlihan, chairman of the AOAC.

"Each year, we highlight the fact that it is extremely important that owners and managers testify on the continuing increases in costs that the realty sector

is facing," he added. "We urge our members to attend and to offer their individual struggles with their day-to-day costs to the guidelines board. We can't emphasize it enough – we need the AOAC membership to help us. In turn, that will help us help our members."

Houlihan said the AOAC will keep its members updated on all events related to the association's preparation campaign and the public hearings/deliberations.

"As always, we are fully preparing for the guidelines process, while, at the same time, setting and trying to reach the AOAC's goals for 2007," said Albert Annunziata, executive director of the association. "Any input from our membership is important. Participation in our representation of the realty industry at the guidelines hearings is vital. We need the help of our members, without question, during that process. We need their participation."

## Property Management Group Announces Its 2007 Strategies

By Jeff Hanley, IMPACT Editor

ARMONK – A leading property management association recently announced its plans to further serve the local building and realty industry.

The Advisory Council of Managing Agents (ACMA), a component group of the Building and Realty Institute of

Westchester and the Mid-Hudson Region (BRI), last month announced its proposed agenda for 2007.

ACMA is composed of more than 55 property management companies who serve co-ops, condos and rental buildings. The group's members oversee

the operations of more than 700 buildings and complexes in the Westchester and Mid-Hudson Region.

"One of our main goals has always been to help property managers run their properties more efficiently," said

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## CO-OP CONDO CORNER

BY HERB ROSE



NEW YORK—How much does a kilowatt-hour of electricity cost?

You are a knowledgeable person and are conversant with the price of gasoline, newspapers, milk and so on, but how much do you pay for the electricity you use all the time? A cursory look at your Con-Ed bill will give you some kind of clue, but not all the answers.

Demand Charge, Energy Charge, Adjustment Factor and so on, but how much? A quick romp through all of this material will produce an average charge of about 16 cents per KWH (Kilowatt hour).

What do you get for your 16 cents? Ten hours of 100-watt light bulbs, 13 and 1/3<sup>rd</sup> hours of 75-watt bulbs, and 16 and two-third hours of 60-watt bulbs. Using new energy-efficient bulbs will increase your lighting about 400 percent for the same 16 cents. Instead of 10 hours of 100-watt bulb light, the replacement equivalent 23-watt bulb will give 43 hours of

light for the same 16 cents!

Until very recently, these energy saving bulbs were expensive, but that's no longer an excuse since these money savers can be purchased for a price competitive with standard bulbs. Home Depot offers an "N-Vision Suave Blanco" version for \$9.97 for a four pack. Also offsetting the cost is that the new energy efficient bulbs last considerably longer.

The Environmental Defense Fund rates the 23-watt version of this bulb as the equivalent of 100 watts and will last 6,000 hours and save \$55.18 in electrical cost during its life. There are numerous other versions as well that can be found by "Googling" Energy Efficient Light Bulbs.

### Only the Beginning

That's really only the tip of the iceberg. Ed Yaker, the progressive board president of Amalgamated Housing in the Bronx, undertook a refitting eight years ago, of all the fluorescent fix-

# Lights, Lights, Lights: How to Save Money on Your Energy Costs!

tures in the co-op's buildings.

The resulting saving of 240,000 Kilowatt Hours per year in electric use has been very rewarding, to say the least. The New York State Energy Research and Development Authority (NYSERDA) helped in the cost of the refitting.

Amalgamated also upgraded its heating system with a new 1200 Horsepower Boiler with help from NYSERDA. Ed Yaker's boiler numbers are particularly inviting in that the co-op saves \$150,000 per year in heating cost after debt service of \$100,000 per year. In two years, when the 10-year boiler debt is paid off, the savings will be \$250,000 per year!

General Electric offers its "Ultra" line of ballasts to retrofit existing fluorescent fixtures for energy savings with payback time of about two years. GE also has a line of energy efficient fluorescents.

Dali is a company that offers controls to cut costs in areas that are monitored to lower lighting when there is no occupancy. Full lighting is automatically turned on when someone is present. Think garbage rooms,

laundry rooms, hallways, staircases, etc.

Lamar Lighting also offers motion-sensitive fixtures under the trade name of "Occu Smart."

Circular fluorescent bulbs are widely used, but have been shown to be energy inefficient. Replacement of these fixtures and bulbs is an urgent necessity.

the time to set up money-saving routines.

### Herb's Hints

- Draw blinds and/or drapes to retain inside heat.
- I will do the research for the first two applicants for electric savings, pro-bono! Contact me at [HRose47563@aol.com](mailto:HRose47563@aol.com)!

**"Although there is a temporary let-up in energy price increases, the long-term price expectancy is for more increases. Now is the time to set up money-saving routines."**

Metal Light offers GE, SYLVANIA and Philips LED fixtures which are energy efficient for lighting large open areas. In addition, Halogen lamps are a viable alternative.

Current cost savings are based on present rates. Although there is a temporary let-up in energy price increases, the long-term price expectancy is for more increases. Now is

**Editor's Note: Herb Rose is a co-op and condo consultant. He is also a member of the Board of Directors of the Co-operative and Condominium Advisory Council of Westchester and the Mid-Hudson Region (CCAC). To reach the CCAC, call (914) 273-0730.**

**Rose can be reached at [HRose47563@aol.com](mailto:HRose47563@aol.com).**

## Another Issue, Another Series of Important Reports for Industry Members

### THE HANLEY REPORT

By Jeff Hanley  
IMPACT Editor/  
Associate Director,  
Building and Realty Institute (BRI)



ARMONK – Most property managers and owners stress that the consistent monitoring of conditions in their respective facilities and the immediate response to potential problems related to those scenarios is an absolute must.

The topic of this month's "Counsel's Corner" describes just such a situation.

The report—"Immediate Action Is a Must When Addressing Issues Related to Mold"—covers the prompt responses property owners, managers

and co-op and condo boards should conduct when faced with mold issues. The article was written by Finger and Finger, A Professional Corporation, chief counsel to the Building and Realty Institute (BRI).

The story is one of another series of reports that building, realty and construction industry members should read. The others include:

- A special report from The Business Council of New York State on the recent announcement from Gov.

Spitzer and the state's legislative leaders of what involved parties termed as "a landmark agreement to reform the state's workers' compensation system."

- Another feature from The Business Council on the state senate passing a major business tax relief package. According to the report, business leaders say the legislation will reduce state-imposed business costs by \$1.3 billion a year (when it is fully implemented).

- A Development Case Study on Ginsburg Development Corporation's (GDC's) "The Fairways at Wallkill," a new resort-lifestyle neighborhood in Orange County. Project officials note that the development offers a unique amenities package.

- An interesting report by Herb Rose in Co-op and Condo Corner. The article—entitled "Lights, Lights, Lights, How to Save Money on Your Energy Costs"—is "must reading" for co-op and condo boards, property owners and managers.

- Two Page One stories on the strategies of two key BRI affiliate organizations, the Apart-

ment Owners Advisory Council (AOAC) and the Advisory Council of Managing Agents (ACMA). The reports provide an update on issues affecting both realty industry groups.

Once again, another edition filled with valuable reading for building, realty and construction industry members. Enjoy the issue – and the upcoming spring!

## Engineering Expo Set for Mar. 25

VALHALLA—The Lower Hudson Valley Engineering Expo has been scheduled for Mar. 25, 11 a.m to 4 p.m. at Westchester Community College in Valhalla, event officials recently announced.

The regional chapters of the National Society of Professional Engineers and the American Society of Civil Engineers have developed the event as a means to allow interested students in the Lower Hudson Valley to meet repre-

sentatives of the some of the nation's leading learning institutions, program officials said.

A goal of the program is to "inspire young science and math students to pursue a career in engineering," officials added.

Participating students and their parents can learn about career opportunities in engineering, from building and bridge design, to nanotechnology and biochemistry. Participating institutions will outline curriculum offerings, admis-

sion requirements and financial aid information, program officials said.

"Engineering expo is an excellent opportunity to discover and visit displays and interactive exhibits focusing on higher learning opportunities in engineering to meet the challenges of today and the future," an event official said.

For further information, call (845) 634-5307.

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## Spitzer, Legislative Leaders Announce Workers' Comp Reforms

*Continued from page 1*

proving medical care in comp cases and cutting its cost, and reforming the Second Injury Fund.

### Specifics

The reform package, which the state Legislature was expected to vote on during the week of March 5, would:

- Limit the number of years during which benefits would be available in permanent partial disability cases, which now account for a high percentage of costs in New York's comp system. Current law allows for lifetime payment of cash benefits in all such cases; the agreement would cap benefits at eight years or less for more than 90 percent of cases. The average PPD claimant would get 344 weeks of benefits upon classification.

premium rate reductions that show up in the rate-setting cycle that concludes in July 2007, according to the Spitzer administration's press release on the agreement.

"As the reforms phase in, reductions in premiums and assessments related to the Second Injury Fund are expected to climb well into the double digits, providing significant relief to New York's business community, particularly small employers for whom such costs have been a major impediment," the release said.

The Governor has also directed the state's superintendent of insurance to pursue other key reforms administratively, including the design of an expedited hearing process, implementation of factual medical guidelines to deter-

**The Governor has also directed the state's superintendent of insurance to pursue other key reforms administratively, including the design of an expedited hearing process, implementation of factual medical guidelines to determine accurately the degree of disability in comp cases, the design of new treatment guidelines, and new training for administrative law judges who hear workers' comp cases.**

- Increase the maximum weekly benefit for injured workers from \$400 to \$600 over three years. In the fourth year, the maximum weekly benefit would become two-thirds of the average weekly wage in New York, with the maximum thereafter adjusted annually beginning in the fifth year.

- Create new programs designed to help injured workers get prompt medical treatment and return to gainful employment.
- Create strong new anti-fraud measures.
- Eliminate the Second Injury Fund, which is blamed for significant recent increases in surcharges that are added to all employers' workers' compensation bills.

At present, 44 states (plus the District of Columbia and the Virgin Islands) have "flexible maximum" benefit levels tied to the average weekly wage. Thirty-four of those states, along with the District of Columbia, put the maximum benefit level at 100 percent or more of the average weekly wage.

Under the agreement, medical services for workers whose benefits in PPD cases expire would continue, and a "safety net" would be established for cases determined to involve extreme hardship.

Gov. Spitzer has directed the state's superintendent of insurance to ensure that the projected savings are reflected in

mine accurately the degree of disability in comp cases, the design of new treatment guidelines, and new training for administrative law judges who hear workers' comp cases.

### Local Reaction

"Based on preliminary information, the agreement between the Spitzer administration and legislative leaders promises to deliver benefits to both construction employers, in terms of workers compensation cost reductions, and workers, in terms of increased weekly benefits which will eventually be indexed to the average wage," said Jason Schiciano of Levitt-Furst Associates of Yonkers, the group manager for the Building and Realty Institute's (BRI's) N.Y. State Workers Compensation Groups 458 and 530.

Schiciano added that if "the implementation of the broad-reaching plan is successful, it should reduce the cost of doing construction business in New York State."

Albert Annunziata, executive director of the BRI, praised the efforts of those involved in the agreement for "helping to reduce the noteworthy costs that employers have faced over the years."

"The decrease in costs for the building and realty industry and the general business sector is certainly welcome," he said.

—**IMPACT Editor Jeff Hanley contributed to this report.**



"Innovative Ways to Build and Finance Affordable Housing" was the topic of the Feb. 8 General Membership Meeting of the Building and Realty Institute (BRI). Pictured at the meeting are, from left to right, Eric Lashins, BRI board member; Tom McGrath (speaker), Community Preservation Corporation (CPC); Sadie McKeown (speaker), Community Preservation Corporation (CPC); Ken Nilsen, president, BRI; and Chuck Pateman, BRI board member. More than 75 building, realty and construction industry members attended the meeting at the Crowne Plaza Hotel in White Plains.



The Jan. 22 Membership Meeting of the Cooperative and Condominium Advisory Council (CCAC) examined issues affecting the selections, roles and relationships with property managers of co-ops and condos. Pictured at the event are, from left to right, Jeff Stillman (speaker), vice chair, Advisory Council of Managing Agents (ACMA); Pat Kinsey (speaker), CCAC board member; John Bonito (speaker), vice chair, ACMA; Diana Virrill (moderator), chair, CCAC; and David Amster (speaker), chair, ACMA.



The Advisory Council of Managing Agents (ACMA) of the Building and Realty Institute (BRI) held its Board of Directors' meeting on Jan. 17 at the Crowne Plaza Hotel in White Plains. Pictured at the event are, from left to right, Carl Finger, counsel, BRI; Matt Persanis, labor counsel, BRI; Jeff Hanley, associate director, BRI; David Amster, chair, ACMA; and Jeff Stillman, vice chair, ACMA. ACMA is a building and realty industry membership organization that deals with issues affecting property managers of co-ops and condos in the Westchester and Mid-Hudson Region.

Photos by Barbara Hansen

# Builders, Remodelers

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# Immediate Action Is a Must When Addressing Issues Related to Mold

## COUNSEL'S CORNER

By: Kenneth J. Finger,  
Carl L. Finger and  
Daniel S. Finger,  
Finger & Finger, Chief Counsel,  
Building & Realty Institute (BRI)



### WHITE PLAINS – Mold.

This is an issue that has plagued both apartment owners and cooperative and condominium boards alike in recent years. The general consensus is that immediate action is required to eliminate and/or remediate any problems of mold and mildew.

What action, how soon and the responsible party are questions that do not necessarily have clear cut answers. Similarly, the actual health risks that mold poses have not been clearly established. One thing is for certain, however, this is an issue that cannot be ignored.

Tenants have raised this in non-payment of rent cases as a defense for breach of the warranty of habitability. Its ultimate success as a counterclaim, on the other hand, is not quite as clear. In *Elkman v. Southgate Owners Corp.*, 233 A.D.2d 104, 649 N.Y.S.2d 138 (1<sup>st</sup> Dept. 1996), the Court held that where Plaintiff's claim for breach of the warranty of habitability, under *Real Property Law §235-b*, seeks to recover damages for personal injuries, such damages are not recoverable for such a breach. This only seems to demonstrate that it is improper to bring such a claim as a counterclaim in a landlord-tenant action such as

one for non-payment of rent.

One would presumably still be able to assert this as a defense (as stated for breach of warranty of habitability) however. Under this logic, in order to properly pursue such damages, the correct forum is for the suffering party to bring a personal injury action to attempt to collect such damages.

In *Litwack v. Plaza Realty Investors, Inc.*, 12/1/2004 N.Y.L.J. 23, (col. 1), the Court (citing amongst other cases the *Elkman* case) held:

The branch of the motion for summary judgment, dismissing the negligence claim based on a lack of notice, is denied. A landlord has a duty to maintain the premises in a reasonably safe condition. See *Chapman v. Silber*, 97 NY2d 9, 19 (2001). A landlord may be liable for a "failure to repair a dangerous condition, of which it has notice, on leased premises if the landlord assumes a duty to make repairs and reserves the right to enter in order to inspect or to make such repairs." *Id.* at 19. Thus, to be held liable, the landlord must have actual or constructive notice of the condition for such a period of time that, in the exercise of reasonable care, the landlord should have corrected it. See *Putnam v. Stout*, 38 NY2d 607, 612 (1976).

Under this rationale, a landlord should not ignore claims of mold, mildew and similar issues, but rather they should be addressed as soon as possible to negate any claims of notice and/or the health problems and other issues that arise out of their neglect.

### The Co-op and Condo Scenario

It should also be noted that for these purposes residents of cooperatives and condominiums stand in the shoes of tenants. They may provide notice of these issues to the managing agents similar to how tenants provide notice to their landlords. For this reason it is incumbent on the managing agent to address these issues as they arise just as the burden falls on the landlords. Failure to properly address such issues can not only result in personal

injury actions but also the withholding of rent, maintenance and/or common charges and abatements of those monies.

In analyzing how much abate a court may award in such cases, the Court held in *360 WEST 51st STREET v. CORNELL*, N.Y.L.J. 9/6/2005, "If a violation of the warranty of habitability caused a tenant to

lowed such recoveries in cases involving health hazards similar to this and even in situations where no medical treatment was required.

In conclusion, apartment owners and cooperative and condominium boards should take notice of any complaints regarding mold, mildew and related issues expeditiously to

**"...Apartment Owners and Cooperative and Condominium Boards should take notice of any complaints regarding mold, mildew and related issues expeditiously... to negate both potential personal injury claims, as well as potential breach of warranty of habitability claims."**

vacate the premises, the court may award a 100 percent abatement for that period of time when the tenant was out of possession. *Mayourian v. Tanaka*, NYLJ, April 4, 2001 at 23, col. 1 (A.T. 9th and 10th Jud. Dists.), 2001 WL 766153." This emphasizes not only the importance of these issues but also that these issues must be viewed on a case-by-case basis. This Court further emphasized that the courts have al-

negate both potential personal injury claims, as well as potential breach of warranty of habitability claims.

**Editor's Note: The authors are attorneys with Finger and Finger, A Professional Corporation. The firm is based in White Plains. Kenneth J. Finger is Chief Counsel to the Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).**

## Property Management Group Announces Its 2007 Strategies

*Continued from page 1*

David Amster, ACMA's chairman. "We've also continued to examine additional methods that will help us further serve our clients. But now, we want to explore even more ways we can serve our clients, as well as help our members to better run their businesses."

Amster added that the group's Mar. 9 Board of Directors' meeting was scheduled to address those issues.

The current benefits of membership in ACMA include:

- Meetings
- Seminars
- Bulletin Services, Including Monthly Mailings
- A Monthly Newspaper
- An Annual Directory
- Lobbying and Legislative Services
- A "Hot-Line and Referral" System through the BRI

### Background

ACMA was formed in 1986. In 1995, the organization re-

leased its Code of Ethics. The code contains guidelines that help define and enforce "the highest standards of ethical and professional conduct, both amongst property managers and in their relationships with their clients, suppliers and service firms."

"We've always been proud to emphasize the code, the efforts associated with it and the members of the association who strive to provide clients with the highest level of professional service," Amster said.

From 1998 to 2000, ACMA, in cooperation with the BRI, offered a certification program for its members.

"Those are the types of programs we are once again exploring," Amster said. "Any program that can help our property manager membership and the membership's clients, as well as the realty industry, will be discussed by our group in the weeks ahead."

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# CONGRATULATIONS

## COOPERATIVE & CONDOMINIUM ADVISORY COUNCIL (CCAC) ON YOUR ANNIVERSARY

Since 1979, the Cooperative & Condominium Advisory Council of Westchester & The Mid-Hudson Region (**CCAC**) has been providing important services to more than 400 co-ops and condos.

The **CCAC**, a non-for-profit membership association serving more than 25,000 co-op shareholders and condo unit owners, has earned statewide recognition for its noteworthy services.

Running today's co-ops and condos is a challenging and multi-faceted job. The mission of the **CCAC** is to broaden and sharpen the knowledge of board members to better meet this responsibility.

With offices in Armonk and staffed by association professionals and consultants, the **CCAC** offers a range of membership benefits to its members. They include:

- Group Insurance
- Educational Forums
- Meetings, Seminars & Workshops
- A Monthly Newspaper
- Legislative Services
- Monthly and Periodic Bulletin Services
- General Legal Advisory Services
- Professional and Technical Referrals
- Collective Bargaining Services
- Investment Advisory
- A Periodic Newsletter

The **CCAC** is proud of its record as the voice of over 400 co-op and condo boards and the corresponding 25,000 shareholders and unit owners.

The organization has consistently stressed the concerns and represented the interests of one of the largest groups of residential taxpayers in Westchester, while providing effective management, education and communication-based services for its members.

*Congratulations **CCAC**, on a job well-done!*

For further information, write to the **CCAC** at  
80 Business Park Drive, Suite 309, Armonk, NY 10504.

Inquiries will also be accepted by phone at  
**(914) 273-0730** or

**e-mail at JHANLEY655@aol.com.**

Look For Us At [BuildingandRealtyInstitute.org](http://BuildingandRealtyInstitute.org)!

# Case Study: Orange County Development Combines a Resort Lifestyle with Value

VALHALLA — The Fairways at Wallkill, a new resort-lifestyle neighborhood in the heart of Orange County, has quickly become home to dozens of residents seeking one of the New York City area’s best housing values, project officials recently announced.

With prices starting in the \$300,000’s and an amenities package that includes a clubhouse, a state-of-the-art fitness center, a heated outdoor pool, a kiddie pool and a sundeck, The Fairways offers buyers more for their money, officials added.

“You would pay a lot more for one of the homes at The Fairways if it was located in northern New Jersey or Westchester County,” said Martin Ginsburg, principal and founder of Ginsburg Development Companies (GDC), the Valhalla-based company that is developing the community.

### Affordability

Theresa O’Donnell said she and her husband, Stephen, decided to leave New York City and buy a home at The Fairways last year, partly because The Fairways was more affordable than similar new communities in Westchester and Rockland counties.

Pricing was “definitely” a factor in their decision, O’Donnell said. “Otherwise we would have just stayed in the city,” she said. “We were renting in the city, so the price was definitely a big factor.”

O’Donnell has a friend who lives in Chapel Hill, a community GDC completed in Peekskill during 2005.

“He raved about Ginsburg and suggested we go to the Web site because he was aware that they were building in other areas,” said O’Donnell. “They called us and we took a look and we liked the area, especially since it is very close to the train station and we commute to the city every day.”

After pondering their choices for a while, O’Donnell said she and her husband decided to move to The Fairways when a three-bedroom townhouse near the clubhouse became available for sale.

“It was a unit literally just a minute away from the clubhouse, which was very appealing,” she said. “We immediately said ‘yes’ and things have been fabulous ever since.”

### Amenities

The Fairways offers an unusually wide range of housing styles and price points, with

something to match almost every budget and lifestyle, project spokesmen said.

People wanting the space and privacy of a single family home have many models to choose from, at prices starting in the \$500,000’s. The Fairways also has luxurious two- and three-bedroom townhouses starting in the \$300,000’s, spokesmen added.

Homes at The Fairways feature large eat-in kitchens opening onto spacious living rooms and dining areas with windows overlooking the hand-somely landscaped grounds and nearby hills, project officials said. The single family homes and townhouses have 9-foot ceilings throughout the first floor, and optional gas fireplaces can add warmth and charm to the living rooms, officials added.

“The homes at The Fairways are a great value, and there is a floor plan that is right for every person or family,” said Ginsburg. “They’re lovely, affordable homes that let you enjoy the bucolic Orange County countryside while still being within commuting distance of White Plains and New York City. It’s the best of both worlds – and a great bargain.”

The Fairways at Wallkill will have a total of 217 homes on 64 acres just off Interstate 84 and a short drive from the heart of Wallkill, which offers shops and services residents need. Construction of the community began during 2005 and is scheduled to conclude this year, GDC said.

In keeping with its name and location overlooking the Orange County Golf Club, The Fairways even has a putting green for residents to practice on, GDC added.

Current GDC communities include Riverbend in Peekskill; Harbors at Haverstraw (Rockland County); Hudson Pointe in Poughkeepsie;

Ichabod’s Landing in Sleepy Hollow; Marbury Corners in Pelham; Riverwatch at Grey-stone on Hudson in Yonkers; Liberty at Newtown (Conn.); Ridgewood at Middlebury (Conn.); The Greens at Gillette Ridge in Bloomfield (Conn.); and Quaker Green in West Hartford (Conn.).

GDC, established in 1964 and based in Valhalla, is one of the nation’s premier full-service real estate design, development and management companies. Ginsburg is the president and chief executive officer. GDC has developed more than 10,000 residential units during its 40-year corporate history, company officials said.

## Cappelli Grant Underwrites Book to Benefit “Katrina Kids”

VALHALLA — Children and families affected by Hurricane Katrina are the beneficiaries of the sales of the new songbook and CD collection, “Heavenly Skies & Lullabies.”

The book, created and sung by Dr. Kathy Reilly Fallon and Frank Pellegrino, contains lyrics and musical notations for the guitar and piano, along with heart-warming illustrations.

Production of the book and CD, which debuted in August, 2006, was made possible through a grant from the Louis R. Cappelli Foundation. All net proceeds from sales are donated to World Vision, specifically for the Hurricane Katrina Relief Fund, foundation officials said.

Dr. Fallon is a board-certified foot and ankle specialist in New York City. She is the co-founder and chairwoman of the Heavenly Productions Foundation (HPF), whose mission is to help children in distress. She sang on the CD entitled “Heavenly Lullabies,” which is dedicated to the babies and orphans of Sep. 11. “Heavenly Skies & Lullabies” is HPF’s second project to help children in need.

Pellegrino is best known as the proprietor of Rao’s Restaurant in Manhattan. As an actor,

he currently appears on the HBO hit series, “The Sopranos.” He has performed in numerous award-winning films, including Martin Scorsese’s *Goodfellas* and Woody Allen’s *Manhattan Murder Mystery*. He is also the founder of Rao’s Specialty Foods and has written two cookbooks, *Rao’s Cookbook* and *Rao’s Cooks from the Neighborhood*.

Becky Kelly, who paints from a sunlit studio in Kansas surrounded by nature, provided illustrations for the new songbook and CD. Dave Prescott of B12 Design in Scottsdale, Arizona donated the design and layout. Father Gerard Critch of St. Thomas More Church in Sarasota, Fla., wrote the foreword.

Since its inception in 1999, The Louis R. Cappelli Foundation has awarded more than \$5.8 million in grants. The foundation’s mission is to provide grants in support of philanthropic activities, with a particular emphasis on educational, arts, and health programs addressing the special needs of youth, spokesmen said.

“Heavenly Skies & Lullabies” is available for \$25 at [www.cdbaby.com/heavenly-lullabies2](http://www.cdbaby.com/heavenly-lullabies2) or by calling CdBaby directly at 1-800-BUY-MY-CD.

## State Senate Passes a Major Business Tax Relief Package

By Claire Hazzard,  
The Business Council of New York State

ALBANY—The State Senate recently passed tax reform legislation championed by Senate Majority Leader Joseph Bruno which, according to business leaders, will reduce state-imposed business costs by \$1.3 billion a year when fully implemented.

The Business Council of N.Y. State had urged the Senate to pass the bill in a legislative memo filed in late January.

“This package would provide New York’s businesses with much-needed relief, and we’re extremely glad that the Senate has passed the legislation,” said Business Council President and Chief Executive Officer O. Kenneth Adams. “The Senate has shown its commitment to reducing business costs and encouraging growth and investment in the state, which is the most effective strategy for job retention and growth.”

The legislation seeks to alleviate the above-average tax burden documented in the

Public Policy Institute’s recent report, Benchmark New York, by eliminating the income tax and the corporate franchise tax on the state’s manufacturers. The move would result in \$550 million in savings for those New York employers, business studies have shown.

The legislation would also:

- Reduce corporate franchise

businesses \$20 million.

- Expand the state’s online permit and licensing program to cover all state agencies, departments and authorities that require permits, registrations and fees. The plan would also allow businesses to file any ongoing fees, registration filings or assessments as part of the tax filing process.

- Provide a sales tax exemption for businesses located in academic incubator facilities.
- Eliminate the petroleum business tax on non-residential heating fuel,

saving small businesses \$7 million per year.

- Eliminate the alternative minimum tax for farms and make the investment tax credit refundable.

The bill has been sent to the Assembly and has been referred to the Assembly’s Ways and Means Committee. The Business Council will urge the Assembly to adopt the provisions contained in the bill, association officials said.

The legislation seeks to alleviate the above-average tax burden documented in the Public Policy Institute’s recent report, Benchmark New York.

tax rates from 7.5 to 6.85 percent, saving businesses \$150 million.

- Expand incentives for technology companies that do research and development in New York to manufacture in the state.
- Eliminate multiple tax calculations for small businesses that must calculate both personal and corporate franchise tax. The Senate Majority estimates this would save small


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# The Louis R. Cappelli Foundation Announces \$1,183,100 in 2006 Donations

VALHALLA—Denise Groneman, vice president of The Louis R. Cappelli Foundation, recently announced that the organization donated \$1,183,100 in 2006 to more than 130 organizations.

The Foundation did not disclose which charitable organizations received the funding.

Groneman also announced the Foundation's 2007 funding initiative. New grant proposals for 2007 will be accepted between April 2, 2007 and July 5, 2007, she said.

Since its inception in 1999, The Louis R. Cappelli Foundation has awarded more than \$5.8 million in grants, spokesmen said.

The Foundation's mission is to provide grants in support of philanthropic activities, with a particular emphasis on educational, arts and health programs addressing the special needs of youth in the areas of Westchester and Sullivan counties and Fairfield County (Conn).

All fully certified 501(c)(3) non-profit organizations are invited to submit a grant application for 2007 funding, providing they meet the following criteria, spokesmen said:

- **Education** – The Foundation will look for education programs that encourage collaboration among agencies, educational facilities, child-care centers, school districts and parents to address innovative education programs that encourage and foster the learning process for at-risk children.
- **Health and Fitness** – The Foundation will support programs that provide innovative and worthwhile health programs or organized sports that encourage wellness and fitness, enabling at-risk children to reach their fullest potential in life.
- **Arts Education** – The Foundation will support arts education programs that provide access to the visual and performing arts for at-risk children through a wide array of arts and related organizations.

Grant applications are accepted only once during the calendar year 2007.

All applicants are required to submit the same grant application form. The Grant Application and Guidelines will be available after March 30, 2007 from the Cappelli Web site at [www.cappelli-inc.com](http://www.cappelli-inc.com) and linking to The Louis R. Cappelli Foundation.

All applications must be postmarked or delivered no later than July 5, 2007. If hand delivered, the application must be received no later than 5 p.m. on July 5, 2007. Applications may not be submitted by fax or e-mail. Early submissions are encouraged. Completed grant applications must meet the aforementioned criteria. Incomplete grant applications forms will not be considered, spokesmen said.

The Louis R. Cappelli Foundation is a not-for-profit charitable organization located in Valhalla. Louis R. Cappelli is the president of the Foundation. He is also president of Cappelli Enterprises Inc., a Valhalla-based development company.

# Houlihan Parnes/iCap Reports Connecticut Transaction

WESTPORT, Conn.—James Coleman of Houlihan Parnes/iCap Realty Advisors, LLC has arranged a second private mortgage loan of \$500,000 in conjunction with the purchase and renovation of a single family residence at 53 Bonnie Brook Road in Westport, company officials recently announced.

The house will undergo a large expansion and renovation which will result in a 5,000 square foot residence with five bedrooms and 3.5 baths. The loan was made for a one-year term and enables the developer to enhance the features of the house, project officials said. The lender was represented by Lisa Gioffre of Gioffre and Gioffre of Purchase, officials added.

Houlihan-Parnes/iCap Realty Advisors 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. The firm's various companies and affiliates specialize in commercial mortgage finance, investment sales, property management, leasing and mortgage servicing, company officials said.

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## The 400<sup>th</sup> Anniversary of the Hudson River's Discovery Should Be Used To Boost Tourism, Industry Leader Says

VALHALLA — A leading building and realty industry member has issued a call to local government officials.

Martin Ginsburg, principal of Ginsburg Development Companies (GDC) and a longtime proponent of Hudson Valley economic development, recently issued a call for government officials to use the 400th anniversary of Henry Hudson's historic journey down the Hudson River to raise the region's profile and significantly enhance its tourism industry.

As part of the celebration, Ginsburg is urging officials to

its rediscovery as a significant public transportation lane as it once was during the steamboat era. My fear is that we may let this once-in-a-lifetime opportunity pass us by with just a tall ship parade and fireworks displays. We need to think much bigger than that and build a lasting legacy of new piers that will support river commerce for decades to come," he said.

To build support for his plan, Ginsburg has written a white paper, has submitted Op-Eds to major daily newspapers in New York and has been meeting with state-level officials and Hudson River advocates since last year.

"As we work to redevelop our Hudson River waterfronts our vision needs to extend beyond the shoreline. We need to create economic activity in the river itself with expanded ferry service and the introduction of water taxis, dinner boats, visiting historic vessels and cruise ships," said Ginsburg, who was instrumental in launching the successful cross-river commuter ferry that runs from his Harbors at Haverstraw development to Ossining's Metro-North Train Station.

"For this vision to be realized we need to recognize that piers are the basic public infrastructure of the river's post-industrial future."

Ginsburg is the originator and principal sponsor of Ferry-go-Round, which each summer since 2004 has sponsored several weekends of ferry service linking various Westchester and Rockland communities hosting waterfront events. On a weekend last September, more than 10,000 rides were taken connecting Haverstraw, Peekskill, Ossining, and Tarrytown.

"Ferry-go-Round has demonstrated that there is great

public interest in ferries beyond commuter hours. Regular weekend summer service would be very popular connecting communities such as Irvington and Piermont or Tarrytown and Nyack. Imagine how the quality of life would improve if life near the river became life on the river. Unfortunately, of those four communities, only Tarrytown has a suitable pier and it is in need of a major renovation and upgrade," said Ginsburg.

According to Ginsburg, the opportunity for an expansion of the tourism economy extends beyond local residents and day-trippers. Citing a recent report from Mayor Michael Bloomberg that New York City experienced 44 million tourists in 2006, Ginsburg believes that river cruise ships would just need to attract a small fraction of New York City visitors to be successful and have a significant economic stimulus in the region.

"Vacations to other world-class cities include cruises on rivers such as the Rhine or the Danube. Why not the Hudson?" asked Ginsburg. Waterborne tourism and travel actually have a long history in New

York, Ginsburg noted, dating back to when Robert Fulton established the world's first commercial steamship service along the Hudson in 1807. Millions of people a year used to take trips from New York City to Albany before the advent of the automobile led to the demise of riverboat travel in the middle of the 20th century, he noted.

But interest in sightseeing along the river still exists, Ginsburg said. Circle Line cruises around Manhattan are still popular, he noted, but he believes that visitors are missing out on an opportunity to cruise up the river and visit world-class tourist attractions such as Kykuit, John D. Rockefeller's mansion, the U.S. Military Academy at West Point and Frederick Vanderbilt's estate and the Franklin Delano Roosevelt Presidential Library and Home Site in Hyde Park.

"Studies have shown that cruises along the Hudson River could be popular and profitable, but investors have been hesitant to be the first to make that commitment," said Ginsburg. "I think the government should provide financing or other support that would make it possible to bring cruises

back to the Hudson River in time for the Quadricentennial. Imagine seeing our historic river towns becoming ports of call again!"

Ginsburg concluded by cit-

**As part of the celebration, Ginsburg is urging officials to build more piers along the river to serve ferry boats and cruise ships—a legacy that would benefit generations to come.**

ing a recent report by the New York State Association of Convention and Visitor Bureaus that in 2006 the Hudson River Valley experienced tourism revenue of \$5.6 billion dollars.

"What is astounding is that we are generating \$5.6 billion in tourism revenue in the Hudson River Valley without the Hudson River itself playing much of a contributing role. With a major public initiative to activate the river we should see that number grow significantly," he said.

**According to Ginsburg, the opportunity for an expansion of the tourism economy extends beyond local residents and day-trippers.**

build more piers along the river to serve ferry boats and cruise ships — a legacy that would benefit generations to come.

"The Hudson Quadricentennial in 2009 is an opportunity to seize national and international attention and create awareness that will attract visitors for decades to come," said Ginsburg, whose Valhalla-based company is one of the state's largest home builders. "The Quadricentennial is a tremendous opportunity to rediscover the beauty of the river, the historic sites and the lovely old towns lining its shores. However, for the Hudson Valley to become a premier tourist destination there must be more piers along the river for visitors to stop and explore our attractions."

Ginsburg believes the most significant lasting impact of the Hudson Quadricentennial should be a major public initiative to create more piers along the Hudson River.

"The celebration of the river's discovery should mark

## Atkinson Joins the Bedford Office of Prudential Holmes & Kennedy

BEDFORD — Prudential Holmes & Kennedy recently announced that Claudia Atkinson has joined the company's new Bedford office as a licensed sales associate.

A Westchester resident for 26 years, Atkinson brings with her more than 16 successful years in sales and marketing as a licensed real estate broker, the company said.

A Bedford resident, Atkinson is actively involved in the local community. She is an elected member of the Saint Patrick's Church Parish Council and a volunteer at the Community Center of Northern Westchester in Katonah. Atkinson is a member of the National Association of Realtors (NAR) and

the Westchester County Board of Realtors (WCBR).

Founded in 1968 by Bill Holmes, Prudential Holmes and Kennedy has enjoyed continued growth and success by respecting its mission statement of "building lifetime relationships, one house at a time," company officials said.

An affiliate of Prudential Real Estate since 2004, Prudential Holmes & Kennedy remains independently-owned and operated. The company has six offices in Armonk, Bedford, Chappaqua, Katonah, Pleasantville and Somers, as well as a global relocation department and an in-house financial/mortgage service with Communitywide Mortgage.

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# NAI Friedland Realty Announces 31,000 Sq. Ft. Lease In Mount Kisco

MOUNT KISCO—NAI Friedland Realty Inc. recently closed on a long-term lease for 31,000 square feet at 272 North Bedford Road in Mount Kisco, company officials said.

The space formerly housed the Northern Westchester Center for the Arts (NWCA). It has been taken over by the Richmond Group, a non-profit organization that provides a variety of programs and services to people with developmental disabilities and complex medical health care needs.

The transactions were handled by Ellen Benedek and Carl Silbergleit, executive di-

rectors in Friedland's Office Division, who served as exclusive leasing agents for the landlord. The building is fully leased, spokesmen said.

"With Richmond's relocation and consolidation, 272 North Bedford Road now is 100 percent occupied," said Benedek.

"Carl and I were able to fill the space within two months of receiving the assignment.

We knew that Richmond had a number of divisions and service locations to move to a central location, and the Mount Kisco property best met its needs."

"Richmond is very excited to

have greater involvement in the communities of Northern Westchester and feels very fortunate to have found such ideal space for our office and programs," said Edward Spauster, president/chief executive officer of the Richmond Group.

Friedland Realty has been integrally involved with the 272 North Bedford Road building for many years, since managing its sale to NWCA in the early 1990's, the company said. When NWCA encountered its first round of financial challenges, Friedland Realty owner Robert Friedland purchased the building, leased a portion back

to NWCA and found tenants for the remaining space.

As a final effort to help save NWCA, Friedland offered to match NWCA's fundraising efforts if NWCA reached a goal of \$200,000 raised. The goal was not met, NWCA closed, and Friedland Realty located a new tenant, company officials said.

The Richmond Group is planning a grand opening and ribbon-cutting for this spring.

NAI Friedland Realty, founded in 1970, is a full-service commercial real estate firm in metropolitan New York, including Westchester, the five boroughs of New York City,

Long Island, Connecticut and New Jersey.

Headquartered in Westchester County, Friedland also maintains a satellite office in Manhattan. Brokers in Friedland's four divisions – Office, Retail, Industrial and Residential/Development – understand their markets and are supported by a sophisticated computer database of available properties and potential tenants, company officials said.

Friedland is a member of NAI, the only managed network of commercial real estate firms in the world.

# Goldschmidt & Associates Appointed Exclusive Agent for Local Entities

SCARSDALE—Eric S. Goldschmidt, senior partner at Scarsdale-based Goldschmidt & Associates, recently announced that his company has been named exclusive agents for the following properties:

- 188 & 200 Summerfield Street, Scarsdale, two 7,500 square foot office buildings;
- 331 Central Park Avenue, Scarsdale, 7,000 – 25,000 square feet of retail;
- 210 & 212 Washington Street and 209 Franklin Avenue, Mount Vernon;
- 174 South Highland Avenue, Ossining, a 3,100 square foot, free-standing building;
- 469 West Putnam Avenue, Greenwich, Conn., a 10,000

- square foot retail and 7,000 square foot office for lease;
- 3655 Crompond Road (Rt. 202), Yorktown, 10,000 square feet on one acre;
- 3605 Crompond Road, (Rt 202) Yorktown, 4,400 square feet;
- 2 Madison Avenue, Larchmont, 1,500 – 15,000 square feet of office space;
- 115 Hoyt Street, Mamaroneck, 13,000 square feet of office/industrial;
- 730 Main Street (Route 1), New Rochelle, land;
- 90 Garth Road, Scarsdale, 9,400 square feet retail;
- Route 1, Milford, Conn., an 80,000 square foot new retail development;

- 24 Harwood Court, Scarsdale, 2,000 square feet;
- 2350 Central Avenue, Yonkers, 9,500 square feet which can be divided, company officials said;
- Hillcrest Shopping Center, Spring Valley, 1,000 to 15,000 square feet;

Goldschmidt & Associates has also been appointed as the tenant's representative in Westchester County for CVS, Citibank, My Gym, Floris Day Spa, Cohen's Optical, Moe's Southwest Grill, Rizzuto's Wood Fired Kitchen and Stark Business Solutions, company officials said.

Company officials added that Goldschmidt & Associates con-

tinued its rapid growth in 2006 in the Westchester County region. Spokesmen said that 2006 was the company's "best year in its 15-year history, and that 2007 looks very promising, with some

major transactions pending."

The firm, officials added, specializes in the sale and leasing of retail, office, medical, and industrial properties in the New York metro area.

# Frank and Bonnie Haymson Join Prudential Holmes and Kennedy

BEDFORD—Prudential Holmes & Kennedy recently announced that the husband and wife team of Frank and Bonnie Haymson of Bedford has joined its new Bedford office as a licensed associate broker and sales associate.

The couple has been married for 38 years, and brings with them a combined 36 years of real estate experience. Having lived in the area for more than 35 years, they have two married children and two grandchildren living in Chappaqua and Mount Kisco.

Prior to joining Prudential Holmes & Kennedy, Haymson worked locally with Renwick & Winterling Realty, as well as Vincent & Whittemore Real Estate. He has been a consistent Diamond and Platinum award Winner for residential sales and has been the Number One Realtor in the county. He also brings a wealth of corporate experience, having held senior management positions with Columbia Presbyterian Medical Center and the Hotel Corporation of America at The Plaza Hotel in New York, and Le Pavillion Hotel in New Orleans.

Haymson holds a Master's Degree in Public Health from Columbia University, and a B.A. from Fairleigh Dickinson University. He has served in the U.S. Army and has competed in the United States Tennis Association Nationals.

Bonnie Haymson offers more than 11 years in the real estate industry, and a 25-year career in fashion and retailing.

She was a buyer and manager for sports apparel and equipment at the Saw Mill Club in Mount Kisco, among other sports facilities. A graduate of the Fashion Institute of Technology in New York, she began her career as a fashion director for D. H. Holmes, a major New Orleans department store chain. In addition to covering fashion events in New York and Europe, she also appeared on several weekly television shows, reporting on the latest fashion trends.

She is a member of the National Association of Realtors (NAR), New York State Association of Realtors (NYSAR) and the Westchester County Board of Realtors (WCBR). In addition, she is a member of the United States Tennis Association and competes regularly in women's events.

Founded in 1968 by Bill Holmes, Prudential Holmes and Kennedy has enjoyed continued growth and success by respecting its mission statement of "building lifetime relationships, one house at a time," company officials said. An affiliate of Prudential Real Estate since 2004, Prudential Holmes & Kennedy remains independently owned and operated. The firm offers six full-service offices in Armonk, Bedford, Chappaqua, Katonah, Pleasantville, and Somers, as well as a global relocation department and an in-house financial/mortgage service with Communitywide Mortgage.

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## Canero Earns Appointment at Prudential Rand

NEW CITY — Prudential Rand Realty recently announced that Patricia Canero has been named manager of the firm's New Windsor office.

Canero has almost 40 years of experience in the real estate industry. She also has a strong background in new construction, as well as an extensive knowledge of the Hudson Valley marketplaces, company officials said.

Prior to her role as manager of the New Windsor office, Canero served as manager of Prudential Rand's Yorktown office.

As manager of the New Windsor facility, Canero will direct the day-to-day operations of the office. She will lead the staff and 45 licensed Realtors who are based at the branch. Additionally, Canero will recruit and train sales associates and teach them how to achieve their goals and increase productivity.

"Patricia's extensive industry knowledge and market expertise are great assets to the company as we continue to build on our No. 1 market share in Orange County," said Matt Rand, managing partner of Prudential Rand. "Placing dedicated individuals in our branch manager positions has been one of the keys to the



Patricia Canero

success of our firm. We believe Patricia is an excellent leader, and will keep our New Windsor office moving along a successful path."

Canero resides in Cold Spring. She is a Licensed Associate Broker, a graduate of the Realtor Institute and a Certified Residential Specialist, company officials said.

Prudential Rand Realty is the largest real estate brokerage in the Greater Hudson Valley. The company has 21 offices in Westchester, Rockland, Orange and Sullivan counties. Based on market share, Rand is the top real estate company in Rockland and Orange counties, as well as the third and fastest-growing firm in Westchester. The company has more than 700 sales associates, spokesmen said.

## Sampson Joins Simone Development as Associate Counsel

NEW ROCHELLE — Simone Development Companies recently announced the appointment of Brian T. Sampson as associate counsel.

Sampson brings more than six years of real estate legal experience to the company. His most recent position was real estate associate for White & Case LLP, the global law firm based in Manhattan.

From 2001 to 2005, he served as real estate associate for Duval & Stachenfeld LLP, a law firm also headquartered in Manhattan.

Sampson attended Franklin & Marshall College in Lancaster, Penn., where he obtained a Bachelor of Arts Degree. He earned his law degree (J.D.) from Brooklyn Law School, where he graduated cum laude.

Sampson and his wife, Jillian Straus—an author and television producer—live in Manhattan.

Headquartered in New Rochelle, Simone Development Companies is a full-service real estate investment company specializing in the acqui-



Brian T. Sampson

sition and development of office, retail, industrial and residential properties in the tri-state area. The privately held company owns and manages an extensive range of commercial projects, from multi-building office parks to retail and industrial space in Westchester County, Queens, the Bronx, Long Island and Connecticut. The company's portfolio of more than 90 real estate properties totals approximately 4 million square feet of development space, spokesmen said.

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