

# QBBA BULLETIN

the newsletter of The Queens & Bronx Building Association



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Winter 2012

## Jeffrey Levine Wins Queens Chamber of Commerce Lifetime Achievement Award

At their 99th Annual Building Awards, the Queens Chamber recognized real estate developer Jeffrey E. Levine with its Lifetime Achievement award. With Mayor Michael Bloomberg, Queens Borough President Helen M. Marshall, and more than 225 real estate builders, architects, contractors, and developers present, the organization honored Levine for his continuous contributions to the community.



Levine, chairman of Douglaston Development, Levine Builders, and Clinton Management, is one of New York's preeminent residential developers and builders. His latest project, The Edge, on the Williamsburg waterfront, is Brooklyn's largest mixed-use development and includes 565 residential units.

In addition to the Queens Chamber of Commerce recognition, Levine also received the 2011 Industry Recognition Award from the New York Building Congress, was named Metropolitan Council on Jewish Poverty's 2011 Builder Of The Year, was the sole real estate award recipient at the 2011 Ellis Island Medals of Honor, and honored with a Tree of Life Award by the Jewish National Fund.

For more than 30 years, Jeff has been involved with numerous non-profit and community organizations including our QBBA. He currently serves on the Board of Governors of the Associated Builders and Owners of Greater New York (ABO), the Real Estate Board of New York, Board of Directors of the Citizens Housing and Planning Council, the New York Housing Conference, New York Building Congress, National Association of Home Builders (NAHB), New York State Builders Association (NYSBA), New York State Association for Affordable Housing, and the Queens Chamber of Commerce.

"Having grown up in Queens and established my business in this neighborhood, it is an honor to be recognized by the Queens Chamber of Commerce," said Levine.

## Coming Wednesday, February 15, NYC Department of Buildings Commissioner, Robert LiMandri



Want to know the latest goings on in the City's Building Department? Our guest and past participant at QBBA, Commissioner Robert LiMandri, will bring us up to date and will be available for questions. The event starts at 6 pm at Douglaston Manor and includes a networking cocktail hour and dinner. Your reservations are appreciated. (718) 428-3369.

### Speed Networking at Douglaston Manor in March

For builders, vendors, and suppliers, efficiency dictates the need for speed. This very popular networking evening assures our members and guests the chance to meet one-on-one to lobby for new business opportunities.

Show up on time with plenty of business cards and necessary collateral material, and practice your elevator, make that escalator, speech to get the most said in your allotted time. Dinner and libations help loosen lips. Please let June know that you're coming for a fun and rewarding evening.



Prior to his work with the US Department of Housing and Urban Development, Mr. Carrion started his service at the White House as Deputy Assistant to the President and Director of the White House Office of Urban Affairs. We look forward to working with Mr. Carrion in his new endeavor.

### Guest Speaker Adolfo Carrion Moving to Private Industry

Adolfo Carrion, former Bronx Borough President, HUD's NY Regional Administrator, and our guest speaker in January, announced at our meeting that he is leaving HUD and forming his own consulting company, Metro Futures, LLC to be based in New York City. The official departure date was February 10.

### Calendar Of Events...

- Feb. 15** QBBA Dinner Meeting  
Wed. 6 pm Douglaston Manor, Douglaston
- Feb. 24** NY Islanders vs. NY Rangers  
Fri. 7 pm Nassau Coliseum, Uniondale
- Mar. 21** QBBA Speed Networking Event  
Wed. 6 pm Douglaston Manor, Douglaston
- April 18** QBBA Dinner Meeting  
Wed. 6 pm Marina del Rey, Bronx
- May 24** QBBA Annual Golf Outing  
Thurs. 10 am North Hills Country Club, Manhasset

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QBBA Bulletin is the newsletter of the Queens & Bronx Building Association. For information regarding content and advertising, please contact our Executive Director, June Petrone, at our association headquarters, 16-66 Bell Boulevard, #745, Bayside, NY 11360, (718) 428-3369, fax: (718) 428-3494, e-mail: [june@queensbronxbba.com](mailto:june@queensbronxbba.com). Visit [www.queensbronxbba.com](http://www.queensbronxbba.com)

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# News from the President

Ira Brown  
The Briarwood Organization



Welcome to the winter edition of the QBBA newsletter. As we make our way through winter and the Presidential campaigns, we look forward to some tangible evidence this spring that there will be more work for our members, organization, and industry.

Since creating work opportunities for our members is our first priority, we continue to seek ways to help members meet and do business together. Our website has been enhanced and we have made great efforts to make our General Meetings, Mixers, Golf Outing, and Holiday Party each a financial success as well as a great opportunity for members to network. The super successful Speed Networking Event held last March is scheduled to take place again on March 21, 2012 at Douglaston Manor and promises to be even more successful than last year.

As we all know, we share common concerns with the rest of the population in our City, State, and Country. The housing market has remained steady but at a low level. With a slightly improving economy, stronger job growth, historically low mortgage rates, and stable house prices, we are cautiously optimistic that demand for housing and commercial buildings will increase. The single biggest factor facing our industry is the inability to obtain financing for new projects and the nonexistent flow of mortgages for purchasers of our products. Between lenders who have zero appetite to portfolio loans, appraisers that don't know the market, lenders who only sell their mortgages to government agencies, and the government passing new restrictions for buyers, we must lobby hard to open up the lines of credit so that the industry can move forward and help fuel the economic recovery we are all hoping for. After all, the government bailed out the lenders and now they won't give financing to purchasers even though the government buys them.

Last year we were forced by necessity to create local lobby days. It has worked out very well and we will continue to conduct local lobby days/events. This proved very successful in helping to our part to defeat the prevailing wage bills last year. Our teams met with local politicians on the City and State level giving us the ability to educate them about our issues and were able to be back at work in a couple of hours. There are numerous important issues such as the living wage bill and disclosures to do business with the City that we have to pay close attention to this season. In addition, prevailing wage is always being kicked around at City Hall and Albany.

We are continuing to push, through meetings with DEP, to come up with a workable solution to allow use of drywells and to prevent properties from being unbuildable. The new regulations regarding storm water flow is also being addressed. In the future we will be inviting high ranking DEP officials to our meetings. In addition, we are expecting Deputy Mayor for Operations Cas Holloway and Buildings Commissioner Robert LiMandri to join us again. These are great opportunities to have your voice and your concerns heard by the government leaders that have the most impact on our businesses.

We are actively seeking new members and we encourage all members to try and interest potential members to attend our events. We have a lot to offer and the more members we

*Ira Brown, continued on page 7*



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# City Government Update

by Robert S. Altman, Esq., QBBA Legislative Consultant

As you know, while QBBA is on record as opposing the proposed living wage legislation, most of its members are not impacted by the current proposed law. They pay their employees a living wage. Even under the proposed compromise, except for an affordable housing component that has yet to be seen, QBBA does have any "skin" in the game. Yet, we still oppose the law. Why? Simply because it is bad public policy.

Tax exemption benefits are used to assist businesses in the most expensive city in the nation. They are designed to retain businesses and assist them with costs in the hopes that they can grow in the City and not move to other locations. Except for retail, almost all businesses are mobile. And even retail has some mobility as customers are mobile and bad retail policy impacts the City, especially in the borderline areas of this City.

The living wage law seeks to take the emphasis of tax benefit policy on job retention and creation and move it into an increase in wages. In doing this, it will eviscerate the tax assistance that is being used for job creation and retention.

Let's take a look at a deal that meets the Council's threshold for assistance of one million dollars over the life of the project. One million dollars sounds like a lot of money. But under many tax assistance programs, most deals are spread out over 25 years. One million dollars spread out over 25 years is \$40,000 per year. Lessen the period to 15 years and one is still talking about only \$67,000 per year.

Under both scenarios, how this would impact a business? Assume an employee is making \$8 per hour without benefits (which is above the minimum wage of \$7.25 per hour). The difference between this and the living wage threshold (defined in the proposed law as \$11.50 per hour on a job without benefits) is \$3.50 per hour. However, that is not the total increase in cost. Additional payroll taxes kick in at a rate of 7.983% (payroll taxes plus the MTA tax). This increases the actual cost to the employer to \$3.78 per hour.

Let's assume that the employer employs fifty people, but only ten make \$8 per hour and the rest make above the living wage. Each of these employees works 2,080



hours per year (52 weeks multiplied by 40 hours). In total, the ten employees work 20,800 hours. The living wage cost is \$72,858 (20,800 hours multiplied by \$3.78 per hour). In either the 15 or 25 year period, the tax break each year is wiped out by the cost of the living wage increase. Under this scenario, over the 25 year period of the typical tax assistance benefit, just to break even, the tax break would need to be almost \$2 million, not the \$1 million minimum threshold noted in the current legislation. For a \$1 million benefit, just over five employees would wipe out almost the entire benefit. Even if the benefit was spread out over a lesser time like 15 years, just over nine employees would wipe out the benefit.

Moreover, there are costs and risks involved for the business. For example, there are recapture provisions in some tax assistance projects where there is a risk of having to pay back the entire tax break. But if the living wage bill were passed, the tax break could have ultimately netted the business nothing. Plus, there are the extra professional services costs of compliance.

But my assumption that the business will stay in New York is, quite frankly, speculative. I am of the opinion that New York City does not hold onto the business.

Robert Altman, continued on page 9

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# QBBA MEMBERSHIP MEETINGS



Our November meeting was a terrific mixer event held at Cue Bar in Bayside. (Top left photos) • Adolfo Carrion, Regional Administrator (NY Region), US Dept. of Housing and Urban Development spoke at our January meeting at Marina del Rey in the Bronx. (Bottom photos) Coming up next is our February 15 meeting featuring NYC Building Commissioner Robert LiMandri.



Adolfo Carrion



David Melenick,  
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## Welcome New Members

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305-7 Knickerbocker Ave.  
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### Associated Mortgage Bankers

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Garden City, NY 11530  
516-394-1420 m@ambmortgage.com

### CALLAHEAD Corp.

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800-634-2085 info@callahead.com

### EH Builders Corporation

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Brooklyn, NY 11218  
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Sea Cliff, NY 11579  
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East Meadow, NY 11554  
631-484-0900 dave@poured-floors.com

### SD Architecture and Engineering, PLLC

Keith Striga, AIA  
270 Spagnoli Road  
Melville, NY 11747  
631-561-5454 kstriga@striga.com

### VPS

Scott Matty  
10 Cove Lane  
Port Washington, NY 11050  
516-883-4939 smatty@vpspecialists.com

## Albert S. Tablante, Jr. 1945 – 2011

QBBA Board of Director Attorney Albert S. Tablante, Jr. died suddenly in early November after surgery. Bert, whose firm is Alvy & Tablante, LLP of Lake Success, was also the Legal Counsel for the Queens & Bronx Building Association and a contributing writer to our QBBA Bulletin and to Hammer Magazine. He leaves two adult children of whom he was extremely proud. Bert was a gentle and well respected man of many talents including that of a pianist.

It took until an attendance at his funeral to find out he was in a high school rock band called the Savages! Rest in peace, Bert.



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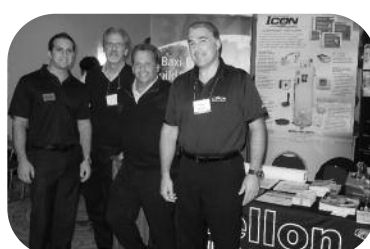
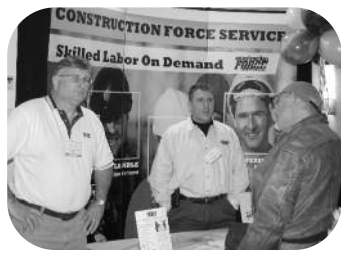
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# QBBA 2011 Trade Show





**Our thanks to our 2011 exhibitors and sponsors who contributed to make our annual Queens & Bronx Building Association Trade Show a well-attended and very successful event.**

**Exhibitors:** Advanced Hydronics Sales, ALC Environmental, Inc., Brown Builders Supply Corp., CASA Building Materials, Inc., Cassone Trailer & Container Co., Centerline Wood Designs, Inc., Construction Force Services, Deer Park Stairs, Dellon Sales, Gamco Corp., General Electric Appliances, Hammer Magazine, Home Crafts, Inc., KD Frame and Door Corp., Kleet Lumber Co., Inc., Marjam Supply Company, NYSBA Research and Education Foundation, Oldcastle Precast, PC Richard & Son Builders Division, Poured Floors of NY & NJ, Queens & Bronx Building Association, Room-Aire Supply, Sterling Floor Designs, Ltd., SWL Architects, The Architect Newspaper, The Blue Book Building and Construction Network, Triangle Building Products Corp., SD Architecture & Engineering PLLC., Wells Fargo Home Mortgage.

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*Ina Brown, continued from page 2*

have, the larger voice we have. It has been a struggle to increase membership. However, finally after the economic crisis, it seems the inflow of members is outpacing the outflow.

Don't forget, any member who wishes to get up at a General Meeting with an issue or product they want to discuss is encouraged to do so. Stay in touch and keep checking our website, Facebook, and Twitter accounts for information that June, our Executive Director, constantly updates. We encourage all developers and contractors who have jobs to bid out to contact June and post it on our secure website.

We continue to strive to make being a member more fun as well as be an important resource for members. We have already sold 20 seats for a Rangers vs. Islanders game at Nassau Coliseum and we are looking into a show at the Queens Theatre and on Broadway. We will keep you posted on these fun networking opportunities. We will start planning a summer event as well.

I hope you will all give me and your board of directors your input, advice, comments, concerns, and support. I look forward to seeing you at our next event as we try and push the early coming of spring both in the weather and for our industry.



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Most business tax break recipients covered under the programs that the legislation targets are required to prove that they were looking in other locations and “but for” the tax break, they would have relocated to another location outside of New York City. But the living wage bill minimizes the tax benefit and in many instances will eliminate it for a mere five employees. If I were a business debating whether or not to relocate, I am definitely out of New York City. And some of you might say good riddance, that New York City does not need such low paying jobs. But under my scenario, this was a fifty employee outfit and only five workers were being paid below living wage. So New York City’s net loss of jobs that paid living wage is forty-five jobs. So forty-five good jobs lost in order to upgrade five allegedly bad ones. If you ask me, it is not a very good policy to lose forty-five jobs that pay above the living wage for the benefit of five jobs.

Why is the Council doing this?

The original proponents of this law were the retail workers unions. But under the proposed compromise, actual recipients of the tax assistance benefit are the only ones who are impacted, not retailers who are just renting from the recipient. Developers of sites who would receive the benefit invariably pay over living wage to their construction workers. Manhattan is not impacted, as few IDA deals occur in Manhattan that would fit under the bill. There are other exemptions in the bill, but the main losers

are medium sized businesses in Brooklyn, Queens, Staten Island, and the Bronx. Why impact these businesses as they are more likely to have a few workers who are at minimum wage but have a greater proportion of their workers above it? Do we want them to move out of the City?

I sympathize with the good intentions of the City Council, but good intentions cost, and in this instance they just cost a business too much money. Ultimately, the numbers don’t work for a business to stay in New York City and while a few low paying jobs go, you can bet most of the jobs that are lost pay above living wage. So, if I am a business going to the City and I am forced to comply with this provision, I have a simple answer for the City of New York: Adios, Sayonara, Auf Wiedersehen, Goodbye.

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## 7 Tips To Position Your Business During a Hard Insurance Market

by Michael Stoop, Metropolitan Risk Advisory

I can literally feel your eyeballs rolling as you mutter a “colorful” sentence or two about insurance brokers occupying the phylum right above amoebas. Before you click on, give me a paragraph or two to explain.

For those insurance buyers new to the scene, a “hard” market is defined as one in which various lines of insurance experience acute price increases, coupled with limited availability. It’s classic Keynesian supply and demand. In contrast, a “soft” insurance market is one in which prices fall, year in and year out.

The problem with a soft insurance market is that it insulates poorly managed businesses, not punishing those with high claims. Their insurance costs are only slightly higher than those of a “best practices” firm because insurance carriers in a soft market lose all pricing discipline as market share, not underwriting, is their primary motivation.

*The Opportunity:* Those businesses that have incurred insurance claims will see their unit costs increase substantially. For some types of businesses, such as healthcare, human services, or construction, insurance is one of your highest expenses. Further, insurance claims don’t just impact your future insurance costs, they affect your productivity and your labor costs. Insurance claims have an impact up and down your P&L statement, impairing your ability to compete in the marketplace.

Are you following me, grasshoppers? Those businesses that focus on the fundamentals of loss control and claims management, that either have a strong claims history or a desire to clean up their claims history, will have a major competitive advantage in their native marketplace during a hard insurance market. Simply put, their unit cost structure will be, at a minimum, 30% more cost efficient than that of their less-diligent competitors. Here are some of the techniques we employ with our clients to help them achieve and maintain cost efficiency.

*Strategies for Achieving Risk Management Cost Efficiency:* Order your loss runs several times a year, not just at renewal.



Outstanding claims are blank checks drawn on your account by someone else.

Ask questions on the reserving practices of the adjusters on large losses. Have them factually justify their position. High reserves are a harbinger of higher insurance rates at renewal. Don’t just accept the adjuster’s numbers.

For workers’ compensation losses, order both the loss runs and state worksheets showing how your experience modification was calculated. This calculation can contain very costly errors that will drive your insurance premium costs up.

Have someone in your office do a contract audit. How is the risk allocated in your projects? Who gets left holding the bag? Do all your vendors and subcontractors have signed and executed contracts with proper insurance documentation?

Did you just hire your next insurance claim? Set up a vendor or subcontractor qualification system to be certain the pool of capital at risk is theirs and not yours. Do this by confirming that their insurance, not yours, will respond to a potential loss. You can hire out a turnkey solution such as the Risk Rocket, which performs this function for you.

Don’t just renew your insurance as is. Ask questions with every new project and contract. There may be other ways to structure the insurance purchase that can give you greater cost certainty and cost efficiency (pricing).

Get aggressive when an incident occurs. Take pictures, find witnesses, issue a very detailed report the day the loss happens. Help your insurance carrier mount a defense on your behalf. It will significantly impact both the amount the claim is reserved at and the amount it is ultimately settled for.

There are other strategies, as I am just getting started. We can’t emphasize enough how big an impact on your current and future profits these techniques can have, positioning your company to beat the competition in your marketplace by making sure you are as cost efficient as possible.

### Short Month, Lots to Do at QBBA

- Wednesday, Feb. 15: Dinner Meeting, Douglaston Manor
  - Friday, Feb. 24: Rangers vs. Islanders, Nassau Coliseum
- Reservations: (718) 428-3369, [june@queensbronxbba.com](mailto:june@queensbronxbba.com)



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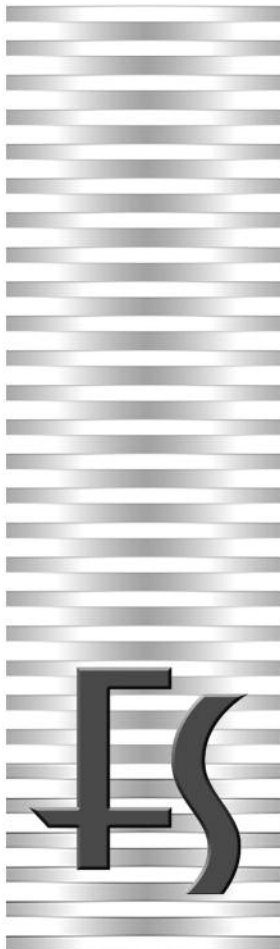
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