



NIAGARA COUNTY BUILDERS ASSOCIATION NEWS



JANUARY 2012



PRESIDENT'S MESSAGE



Carl Capolupo
NCBA President

HAPPY NEW YEAR!!!

It's hard to believe that the first year of my presidency has gone by. I am happy to say that 2011 saw many positives for the NCBA. In the last half of the year we added eight new members. Our Parade of Homes was very successful, with 7 builders and 8 homes.

The builders were very happy with the turnout for the show, and comments we received from visitors to the show were very positive. I am looking forward to another great Parade of Homes in 2012.

Our new slate of officers for 2012 was sworn in at the Christmas Party on December 14th at the Como. Paul Game moved up to Secretary, and Mark March and George Lodick were elected as new board members. A huge THANK YOU to **Stan Swogier** and **Debbie Morrison**, who have stepped down from the board after many years of service to the NCBA. We will miss you two at board meetings.

The Christmas Party was a great evening, with over 100

members and guests present. Thank you to the sponsors who provided prize baskets and cash donations for items. The baskets were wonderful, and a lot of people went home happy.

In order to keep our meetings meaningful, and make them even more valuable, we would like to hear from you. What features would you like us to add to our semi-monthly meetings? What programs or speakers are you interested in hearing? Call the office at 693-5736 and talk with Cathy or Jerry if you have some ideas.

As I said at the Christmas Party, we need more members to take an active role in the NCBA. I am excited that we have such a great core of members who are involved, but I would like to see even more of you take an active interest. If every member would help by serving on a committee or promote membership to your contacts we would make the NCBA a stronger organization. Join me in 2012 as we continue to grow the **NCBA**.



Carl

NEXT MEETING

Wednesday, January 11

**Board & Membership
Meeting**

**The Hideaway Grille
399 Division St., N. Tona**

Board Mtg. 5:30
Cocktails 6:30
Dinner 7:30

Call in your RSVP
to 693-5736 by January 6

HAVE A HAPPY & SAFE NEW YEAR

I would like to share an experience with you—it's about the dangers of drinking and driving. As you well know, some of our members and friends have been known to have had brushes with the authorities on their way home from association social activities over the years.

With that in mind, towards the end of our recent Christmas Party I was socializing with a group of our members, and we were enthusiastically celebrating the Christmas Season.

Realizing, as any good Executive Officer would, that some of them may have had a few too many drinks, and knowing full well I also may have been

slightly over the limit, I did something I have never done before – I talked them all into taking a bus home.

We had a great time on the bus, singing Christmas carols and rehashing the festivities of the evening. And the good news is that we all arrived home safely and nobody got in trouble with the law.

I personally ensured that every member, guest and spouse was dropped off safely at their homes, then I too finally arrived home without incident, which was a real surprise, as I have never driven a bus before and am not sure where I got this one.

Do you think we can raffle off a bus?

► Kristin Savard, Gary Pollard and Jerry O'Neill attended NYSBA's Winter Board meeting at Turning Stone on December 8 & 9. These meetings are a great opportunity for HBAs to share what is happening in our area, and to hear what's happening in others. We also get updates on the Legal Defense Fund, REF and other aspects of the State Organization. The most valuable benefits of being at these meetings is getting to know our counterparts across the state, working together to fight legislation that is detrimental to the home-building industry, and supporting positive legislation.

► One new development that is both-ering our counterparts in New York City and has now spread to Long Island is the imposition of Community Benefit Agreements into the development approval process. Essentially, developers are being "held up" for additional costs to provide some community benefit, such as a new park, school improvements, etc. It's a new way of "buying



off" a municipality to get the approval.

► At the meeting we had a chance to talk with Todd Loscombe, the new NYSBA President for 2012. He was very impressed with our hosting of the Fall Board meeting, and expressed his thanks to Gary and Kristin for the NCBA's renewed involvement in NYSBA activities.

► NYSBA has joined forces with the NY Main Street Small Business Coalition. The MSSBC is a growing group of business organizations and business advocates with a strong desire to change New York State's impact on small businesses.

The MSSBC just released a report, fully endorsed by NYSBA, which outlines ways the state can cut spending and create real mandate relief. Scaffold Law and SEQRA reform were high on the list of recommendations.

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IN MEMORIAM



After our November newsletter went to press we learned of the death of Past NCBA President Merv Cook. Merv was a long-time member of our association, and served in many capacities, not the least of which was as corn cooker at our annual picnic.

Merv was a World War II veteran, and was very active in his church and in Niagara Falls government, serving a term as councilman and running for mayor. We will miss Merv's smiling face. A donation has been sent to Niagara Community Church in Merv's memory.

Thomas DiMatteo
Gerald DiMatteo

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2011 NCBA Officers & Directors			
Carl Capolupo	President	Joe Paolini	Director
Kristin Savard	1st Vice President	Pete Mascaro	Director
Gary Pollard	2nd Vice President & State Director	George Lodick	Director
Paul J. Game	Secretary	Gary DiMatteo	Director
Lawrence Quigliano	Treasurer	Mark March	Director
Jerry O'Neill	Executive Officer	Jim Mordeno	Director
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JANUARY MEETING WILL FEATURE SCAFFOLD LAW DISCUSSION

JOIN US at our January meeting at the **Hideaway** as we start our 2012 NCBA year off with a discussion of the scaffold law.

The NCBA and NYSBA have been fighting this law for too long, but it finally seems like we have some New York State legislators who are ready to take the fight to Albany.

Under the Scaffold Law, contractors, employers and property owners are held 100 percent liable for any gravity-related injury of a worker, even when the worker is at fault. To make matters worse, our New York State court system has greatly expanded their definition of the law to allow it to be used in more and more cases.

See the enclosed newsletter article by Laura Zaepfel of Uniland Development providing an overview of the law, and

the reasons we need to amend it.

Erie County Assemblyman Robin Schimminger has introduced legislation to modify the law, and newly elected Assemblyman Ray Walter, whose district includes the Towns of Amherst and Pendleton and a portion of North Tonawanda, has named the scaffold law as one of his prime targets for the legislature to tackle. We have invited Assemblymen Schimminger and Walter, along with our other state legislators, to join us at our January meeting.

New York is the last state in the nation to have this law on the books, and at least one of our members has told us about his negative encounter with this law. Let's have a great turnout so we can share experiences and let our state legislators know how we will support them in trying to overturn it.

New Member

We have another new member—Jim Fittante is an architect in Lewiston. Jim has been at several NCBA meetings and events. He's sponsored by Kristin Savard. **WELCOME JIM!** We look forward to working with you.

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NAHB

It is imperative that we know our representatives in Albany so we can keep them informed about the issues that affect our industry. Contact them as follows:

NYS Senator George Maziarz
175 Walnut St. Suite 6
Lockport, NY 14094
Dist. Office 716-434-0680
Albany Office 518-455-2024
maziarz@senate.state.ny.us

NYS Senator Mark Grisanti
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Assemblywoman Jane Corwin
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Assemblyman Ray Walter
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Assemblyman Stephen Hawley
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LEGAL ACTION FUND HELPS WIN IMPORTANT CASES

Did you know? Members of state and local home builders associations can derive valuable assistance from the NAHB Legal Action Fund when they are involved in litigation that is either of national significance or deals with a common problem among builders and developers. Funding assistance generally ranges from \$5,000 to \$50,000, depending on the type of case.

State and local associations whose members could benefit from funding assistance or from a "friend of the court" (amicus) brief from NAHB should apply for consideration by NAHB's Legal Action Committee during the upcoming NAHB board of directors meeting this February. If you have an issue that is of national importance to the homebuilding industry and could set new legal precedent, you can submit it through the NCBA office. Guidelines for submittal are available on the NAHB website.

Applications for the next round of assistance are due on Wednesday, Jan. 18. For information and for an application please contact [Christopher Whitcomb](#) at 800-368-5242, x8329.

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