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SEPTEMBER 2016

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NEW YORK'S SUPER-SLENDERS PART 1

A new form in skyscraper history has evolved in New York over the past decade: the super-slim, ultra-luxury residential tower. These pencil-thin periscopes — all 50 to 90+ stories — use a development and design strategy of slenderness to pile their city-regulated maximum square feet of floor area (FAR) as high in the sky as possible to create luxury

apartments defined by spectacular views. The basic, yet complex principles of the economics, engineering, and design of this new type of super-slender towers were detailed in The Skyscraper Museum's 2013/14 exhibition SKY HIGH & the Logic of Luxury, which is archived in full text and images here.

continued on page 2



Top: One57, 111 West 57th Street, 432 Park Avenue, 520 Park Avenue, Central Park Tower, 220 Central Park South. Middle: 53W53rd, 100 E 53rd Street, Sky House, 45 E 22nd Street, One Madison, 35 Hudson Yards. Bottom: 56 Leonard, 30 Park Place, 111 Murray Street, 125 Greenwich Street, 50 West Street, 9 DeKalb Ave.

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Deadline for submission to the Pylon is the second Wednesday of each month. Articles or notices may be submitted to the Editor by e-mail, fax or on disc. Material printed in the PYLON is for informational purposes only and should not be relied upon nor acted on as legal opinion or advice.

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NEW YORK'S SUPER-SLENDERS

This new chart and the grid of images (October issue) updates the exhibition's list and includes 18 slender towers that in May 2016 were either completed or in early stages of construction. The defining characteristic of these new towers is **not height, but slenderness**. Slenderness is a proportion based on the width of the base to the height of the building. A tower can be very tall, but not slender, and it can be slender without being very tall.

Both prime neighborhoods and great views have added value in New York. Many developers say that apartment buyers shop first for neighborhood, then views, then amenities. But in the new crop of super-slender towers, the value of views is clearly the driving force for the tower form. Central Park is the gold standard, but other geographies also have great appeal if they can command climb to 600 to 800 feet or taller and command sweeping panoramas of the city.

The renderings of the 18 slender towers are organized loosely by neighborhood. The top

row groups the best-known buildings near the southern end of Central Park and especially on the posh cross-town commercial 57th Street, nicknamed "Billionaires' Row." The middle row, which include four projects initiated before the 2008 banking crisis and recession, are located in central midtown and midtown south near Madison Square, as well as 35 Hudson Yards, which in recent renderings is marginally slender. The bottom row, of which three are topped out and completely clad are all in lower Manhattan, south of Chambers Street, with the exception of the last building, which will become the tallest building in Brooklyn.

Designed by thirteen different architectural firms in a wide range of styles from historical to avant-garde and clad in materials from limestone to all-glass curtain walls, the rendering of these towers underscore that the slenderness development strategy is the unifying characteristic of the new typology.

- *The Skyscraper Museum*

HOW THE REVISED AIA CONTRACT DOCUMENTS WILL AFFECT YOUR PRACTICE

To keep up with industry trends and important court decisions, every 10 years AIA Contract Documents are reviewed and updated. This year, the new revised core set of AIA contracts and forms will be released at AIA Conference on Architecture 2017 (A'17).

Changes to the 2017 documents that will affect architects include a single Sustainable Project Exhibit that can be added to any AIA document to address the risks and responsibilities associated with sustainable projects; new agreements containing a fill point to prompt the parties to discuss and insert an appropriate "termination fee" for terminations for convenience; and an added evaluation provision by the architect if the contractor proposes an alternative means and methods.

"It is critically important that architects learn about the 2017 revisions," says Kenneth Cobleigh, Esq., managing director and counsel

of AIA Contract Documents. "Many of them impact the role and responsibilities of the architect directly. Others directly impact the roles and responsibilities of the owner and the contractor, and the architect will need to understand those impacts in order to provide advice to the owner and to adequately perform contract administration services. We hope that all architects, and other industry participants, take advantage of the significant written resources and education programming opportunities available to learn about, and understand, the 2017 revisions and the full portfolio of AIA Contract Documents."

The document that will affect architects the most is B101™-2017, Standard Form of Agreement Between Owner and Architect. B101-2017 now allows the parties to indicate whether the architect will be compensated based on a stipulated sum, a percentage of the owner's budget for the cost of the work,
continued on page 3

HOW THE REVISED AIA CONTRACT DOCUMENTS WILL AFFECT YOUR PRACTICE

or on some “other” basis. If compensation is based on a “percentage basis,” the parties assign a percentage figure to each phase of basic services. Progress payments for each phase of basic services are calculated by multiplying the percentages by the owner’s most recent budget for the cost of the work. Compensation paid in previous progress payments is not adjusted to take into account subsequent updates to the owner’s budget. When compensation is on a percentage basis and any portions of the project are deleted or otherwise not constructed, the architect is entitled to compensation for those portions to the extent services are performed.

“It is critically important that architects learn about the 2017 revisions.”

**- Kenneth Cobleigh, Esq.,
managing director of AIA Contract Documents**

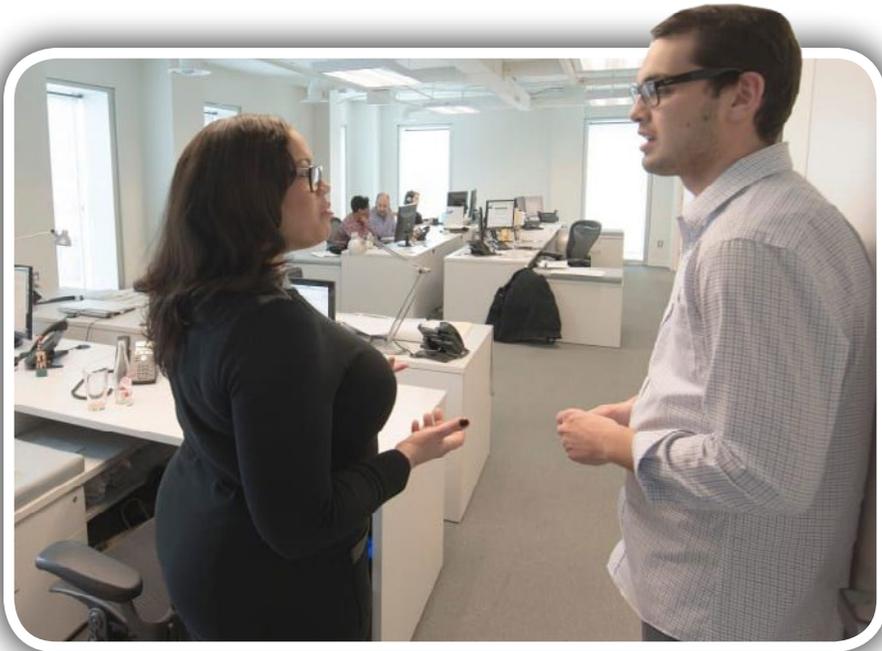


Photo credit: AIA

Additionally, provisions related to the owner’s decision to terminate the agreement for the owner’s convenience now prompt the parties to discuss an appropriate termination fee to compensate the architect for costs associated with the termination, such as lost overhead or profit on unperformed services. B101–2017 also now provides that if the owner requires the architect to modify the construction documents—and the bids or proposals exceed the budget due to market conditions the architect could not reasonably have anticipated—the architect is to be compensated for those modifications as an additional service.

Introducing Sustainable Projects Exhibit

Finally, the Documents Committee developed the E204™–2017, Sustainable Projects Exhibit. In a single document, E204 sets forth the roles and responsibilities for each of the project participants. Once the owner determines that the project will involve a sustainable objective, E204–2017 will be incorporated into the owner-architect and owner-contractor agreements, and incorporated as appropriate into each of the other project agreements.

Here is a complete list of 2017 owner/architect agreements being released:

- B101-2017, Standard Form of Agreement Between Owner and Architect
- B102™-2017, Standard Form of Agreement Between Owner and Architect without a Pre-defined Scope of Architect’s Services
- B103™-2017, Standard Form of Agreement Between Owner and Architect for a Complex Project
- B104™-2017, Standard Abbreviated Form of Agreement Between Owner and Architect
- B105™-2017, Standard Short Form of Agreement Between Owner & Architect

Other documents directly related to the architect’s services include:

- C401™-2017, Standard Form of Agreement Between Architect and Consultant
- E204-2017, Sustainable Projects Exhibit

With a total of 37 documents being released this year, the first set will be released at A’17 and the second set will be released in the fall.

In 1888, the AIA’s first standard form of agreement between an owner and contractor, the Uniform Contract, was published. Since then, AIA Contract Documents have expanded to include coordinated sets of standard form agreements covering every major delivery method, and specialized forms and exhibits, which address specifics of a project. Ever since its beginning in 1887, the AIA Documents Committee, licensed architects, and members of the AIA have dedicated time to create and revise AIA Contract Documents. Learn more about the revised Contract Documents at aiacontracts.org.

*- Caitlin Sweeney
AIA’s Global Innovation
Marketing & Education Dept.*

July 21, 2016

The meeting took place in the office of Brooklyn Borough Commissioner Ira Gluckman, AIA. Representing the DOB at that meeting were Reda Shehata, Deputy Borough Commissioner; Recaldo Stephens, Borough Manager's Office.

AIA Question 1: *What are the zoning regulations for air conditioning condensation units in required yards and open space for multiple dwellings? They are permitted obstructions in open space and in any yard for one and two family dwellings the regulation is unclear for multiple dwellings?*

Answer: ZR 23-12 (a): Air Conditioning condensation units are NOT PERMITTED obstructions in Multiple Dwellings' Required Open Space.

Per ZR 12-10 (Definitions): "Open space" is that part of a "zoning lot", including "courts# or "yards", which is open and unobstructed from its lowest level to the sky and **is accessible to and usable by all persons occupying a "dwelling unit" or a "rooming unit# on the "zoning lot"**. Thus, ZR intention is to avoid air conditioning condenser units causing any unpleasantness to users of the required open space in multiple dwellings

Noise Pollution.

It is my understanding that in addition to covering rear yard open space, they are not permitted because of compressor noise pollution that disturbs the bldg's occupants as well as those in contiguous properties. This is an environmental noise "...welfare..." issue and correlative to a health and environment issue.

§28-101.2 Intent. The purpose of the New York City construction codes is [...]for the regulation of building construction in the city of NY in the interest of **public safety**, health, welfare...

In the case of having additional open space beyond to what is required, it will be permissible to house the air conditioning condensation units in the additional space so long it abides to the DEP sound requirements.

Question 2: *An Alt-1 was approved and partially permitted in 2007. Work was not completed. If the job is reinstated are there new codes, rules, regulations that would affect the completion of the work?*

Specifics: A row house in Brooklyn- built 1899 (no C of O). Alt-1 filed to change from one to a two family dwelling with a basement apartment and upper triplex. The plumbing permit was not obtained only the Alteration permit. Would sprinklers need to be installed if the application was to be reinstated?

See section 28-105.7 through 105.9 and the attachments. I will also allow reinstatement for inactive jobs over 2-years old if the applicant complies with the following:

- Full filing fee must be paid.
- Verify work complies with the current zoning.

- Verify work complies with the 2014 Building Code.
- File PAA to comply with above if required.
- Submit photos of work done with a written statement. Each photo must have the job #, date and brief description of what is being shown.
- Full plan exam will be required.
- If no work is done there will be no reinstatement.

AIA Question 3: *Can the DOB require a professional to have a minimum number of projects filed in order to be allowed to supersede a project?*

Specifics: Two story + Cellar, two family structures in a commercial zone is being converted to a commercial at first floor and two family above was filed and superseded by three separate professionals. Project has a "Stop Work Order" and has been referred to the Forensic Unit where they are requesting that any professional taking over the project must have 5 major projects under his/her belt in order to supersede. Where does it mandate that a professional shall have a required minimum experience to supersede a project?

Answer: §28-101.2 Intent. The purpose of the New York city construction codes is [...] for the regulation of building construction in the city of New York in the interest of **public safety**, health, welfare and the environment [...].

§28-104.7.11 Additional information. In addition to the data and information specified in this code and the rules of the department, the commissioner is authorized to require the submission of additional plans, surveys, computations, analyses, test reports, photographs, special inspection and such other data **and information as may be necessary to determine compliance with this code and other applicable laws and rules.**

One of DOB Forensic Unit's important roles is public safety

Question 4: *A discussion that applications would be re-assigned to different plan examiners after initial review by a senior examiner was raised again for clarification. At what point during the application process will the applications be re-assigned?*

Answer: Alt-1 and NB applications will be re-assigned to different plan examiners upon the **approval** of the application, not after the initial appointment.

Question 5: *Can PW-7 applications for renewal of TCO be emailed rather than dropped off saving an additional trip to the Borough office? dropped off saving an additional trip to the Borough office?*

Answer: Request will be presented at the next monthly Borough Commissioner's meeting.

- Ida Galea, AIA

September 8, 2016

The CRAN Committee met at the offices of Neuhaus Design Architecture with 15 members in attendance. The agenda for the meeting was a discussion about greater involvement with Brooklyn AIA as well as brainstorming for a CRAN pro bono project.

Several CRAN members discussed benefits of AIA membership ranging from pricing on AIA Contract Documents, to submission of questions at Brooklyn Industry meetings, to field trips (with trips to the recycling center and to the Urban Post-Disaster Housing Prototype mentioned as highlights).

The decision was made to hold our October CRAN committee meeting in conjunction with the October 19th Brooklyn AIA meeting. CRAN will meet 10/19 at 5:30pm at Brooklyn Borough Hall, 2nd floor Community Room.

CRAN members are researching pro bono opportunities and will share information via the CRAN Google group. Possible projects

will be discussed at the 10/19 meeting. Once a project is identified CRAN will reach out for opportunity to present info on proposed project to general Brooklyn AIA membership with goal of increasing number of participants.

Topics for future fall meetings were discussed. Potential topics of interest are firestopping, energy code, and favorite technical details. Several members who have done Passive House training strongly recommended that course for its building science and detailing content.

Offer from EDG to host a meeting with a CEU credit presentation at Crestron showroom was discussed. Decision was made to pass on having them sponsor a CRAN meeting but instead to encourage them to host a Friday lunch and learn that could be publicized to CRAN members.

- Kimberly S. Neuhaus, AIA

COMMITTEE URBAN DESIGN REPORT

1. In early August 2016 NYS Supreme Court Justice Lawrence Knipel ruled against the Brooklyn Heights Association and Save the View in an action brought against NYS EDC, Brooklyn Bridge Park, Toll Brothers, et al. claiming that a portion of the Pierhouse development at Brooklyn Bridge Park was within the scenic view plane of the Brooklyn Heights Promenade.

Although the case hinged on two opposing surveys and interpretations of the language of the Zoning Resolution, the judge did not rule on the conflicting interpretations of the scenic view plane but asserted that the plaintiffs did not bring up the issue in a prior filing of April 2015 and further did not challenge the final determination of the scenic view plane determination until 10 months after it was posted on the Department of Buildings website. It is not known whether the plaintiffs will appeal the decision.

2. In July 2016 the Brooklyn Heights Association brought another lawsuit against the NYS Urban Development Corporation, Brooklyn Park Development Corporation and Brooklyn Bridge Park and RAL Development et al over the proposed development on Pier 6. The suit charges that Brooklyn Bridge Park has violated the General Project Plan – a legally binding document that governs the Park's development. Specifically, the mandate that BBPC would only build enough development needed to support the park and that the massive Pier 6 development is not needed. The case was filed in Manhattan State Supreme Court, the location of the offices of most of the defendants. The Defendants swiftly entered a motion to move the venue to Brooklyn Supreme

Court. A decision on the venue is currently pending.

3. New York Times article – Tuesday August 30, 2016 – *The Market is Saturated: Brooklyn Rental Boom May Turn into a Glut* by Charles V. Bagli.

4. There is a stalemate between the Cobble Hill Association and the local elected officials and Fortis Property Group and the Mayor's Office over the plan for the LICH development. In February 2016 Fortis stated it was preparing a ULURP application to City Planning but there has been no further action. Fortis has begun the demolition of the Fuller and Othmer buildings in order to deliver the site to NYU for its medical facility.

Fortis cannot proceed on the rest of the plan as it must maintain the current emergency room at Amity Street until the new NYU emergency room is fully and operational. They have started work on building eight new townhouses on the south side of Amity Street and are also renovating the landmarked Polhemus pavilion into 17 residential units.

US Attorney Preet Bharara's investigation of the SUNY sale of LICH has included questions regarding Mayor Bill de Blasio's role. This cannot be welcome news at the Fortis camp since de Blasio had championed Fortis's selection as the winning LICH developer.

- Jane McGroarty, AIA

September 12, 2016

The Architects Council is an “umbrella organization” representing architects belonging to five (5) constituent organizations in the City of New York. These are the Brooklyn, Queens, Bronx, and Staten Island chapters of the AIA, and SARA (Society of American Registered Architects). The objective of the Council is to act as a voice for our profession, and to represent the interests of the profession in contacts with the DOB and the government of the City of New York at all levels. In doing so we also represent the interests of the people who live in, work in, or visit the New York City.

Representing AIA/Brooklyn at this meeting were Sebastian D'Alessandro, AIA; Ray Peebles, AIA; and myself.

Also in attendance were Fran Garace, Executive Director of the ACNY; Victor Han, AIA; Harold Kahn, RA; Mark Kaplan, AIA; John Schechareg, SARA; Robert Strong, AIA, ACNY President-Elect; Joe Sultana, AIA; Michael Zenreich, AIA; and Steve Zirinsky, AIA.

President's Report:

Meeting with Commissioner Rick Chandler and Councilman Jumaane Williams

Mr. D'Alessandro thanked Ray Peebles, AIA, for arranging the recent meeting with NYC Council Member Jumaane D. Williams, the Chairperson of the NYC Council Committee on Housing and Buildings, and NYC Building Department Commissioner Rick Chandler, P.E. That meeting resulted in a decision by Commissioner Chandler to reconsider the proposed DOB fees for “pre-determinations” and “reconsiderations” of Objections. He also agreed to attend future meetings to further discuss this matter.

Commissioner Chandler expressed his opinion that far too much administrative time and expense is being spent by DOB staff on pre-determinations. One of our attendees (at tonight's ACNY meeting) suggested that the DOB should begin publishing its determinations as soon as they are made so that the design professionals who file at the DOB can become aware of these decisions. That would avoid previously-decided issues from endlessly being brought to the DOB for decisions which it has already made.

Mr. Peebles reported that Commissioner Chandler agreed to attend future quarterly meetings with Councilmember Williams and with representatives of the design professionals, including the ACNY. A suggestion was made (at tonight's meeting) that future meetings with Commissioner Chandler and Councilmember Williams should be limited to professionals who work with the DOB on a regular basis. Suggestions were made to include AIA/New York and REBNY (the Real Estate Board of New York), and that future meetings should be coordinated by the ACNY and Councilmember Williams' office. In fact it was Mr. Peebles' efforts on behalf of the ACNY, and a letter from the ACNY, that resulted in the scheduling of the recent meeting.

- A suggestion was made that the DOB should reinstate filings for zoning review only. That should eliminate the DOB's problems with

respect to pre-determinations. Fees would be paid for these filings, of course.

DOB Procedures Committee – Mark Kaplan, AIA

• DOB NOW:

“Inspection Ready” is now called “DOB NOW.” DOB Now will become the standard platform for all DOB filing, replacing BIS. This system is not fully ready for use as of this date. It is only ready for plumbing and sprinkler inspections at this time. Refer to DOB News for more information.

Email addresses are required for use of DOB NOW. If the original filing doesn't have email addresses we'll have to file a PAA in order to add them to the file. Once we start with the DOB NOW system we cannot get anything for this job by using the old system. It was suggested that we try not to use this system unless it becomes absolutely necessary. We have to register the Owner and also all our employees separately (including emails, passwords, and signatures). Note: This system requires “Internet Explorer” Version 9 and above. Safari does not work.

• Guidelines

A number of preliminary draft versions of new DOB Guidelines have been made available for us to look at. They appear to be grossly voluminous, repetitive, and totally indecipherable

• Lobbying

The DOB has granted “amnesty” to almost everybody who applied for it.

• Form Changes

The following DOB forms have been modified: TR-1, TR-E, ST-1 (Street Trees), and POC-1 (Professional Certification).

• New Business

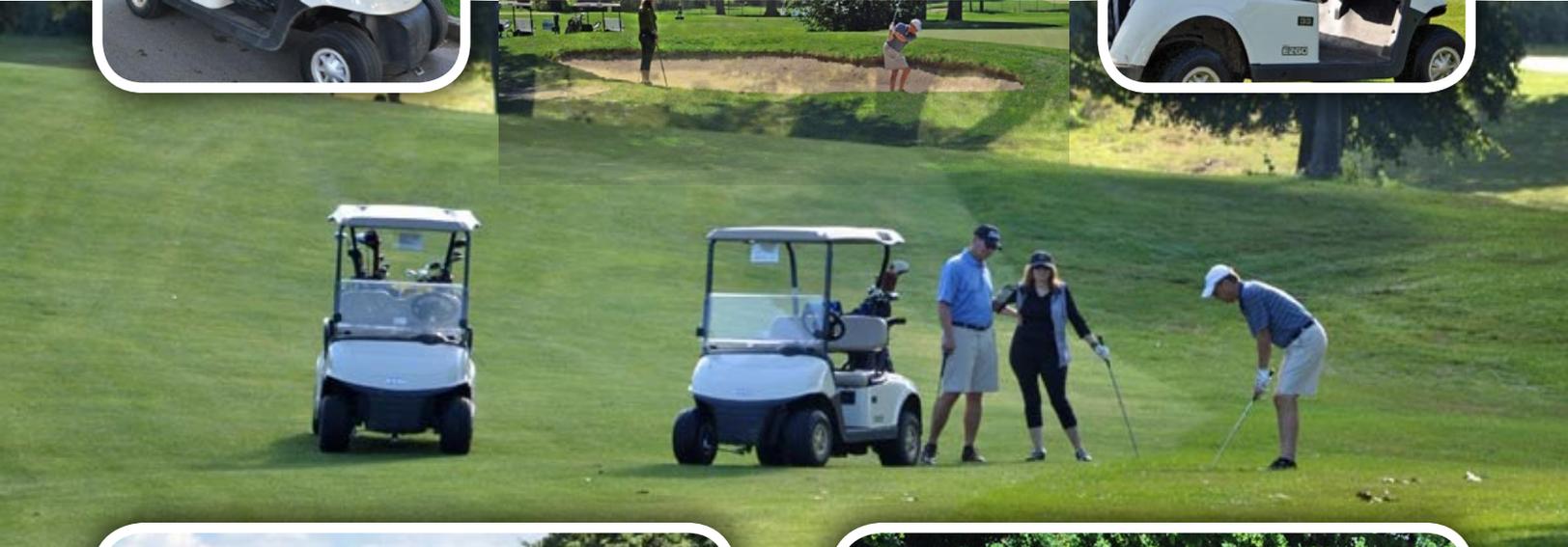
Constituent Events: Dates for upcoming DOB meetings and constituent events were discussed.

- Jerry Goldstein, AIA



2016 AIA BROOKLYN GOLF OUTING





LOOKING AHEAD

REGULARLY SCHEDULED CHAPTER MEETINGS

Unless otherwise noted,
all meetings are scheduled at:

Committee Meetings: 5:30 PM
Dinner: 6:00 PM
Program: 7:00 PM

General Meeting

Wednesday,

September 21, 2016

“Sponsored by

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Executive Meeting

Wednesday,

September 7, 2016

AIA learning unit credit and certificates towards
NYS mandatory continuing education
will be given for each program.

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LAST PRESENTER MONTH

Many thanks to
last month's presenter ...

Thank you to **Kemper System America, Inc.**
for sponsoring September's General Meeting.

Their presentation was:

“Waterproofing Membranes on Urban Roofs”.

www.kemper-system.com/US/eng/



THE QUOTES CORNER

Fashion is architecture: it is a matter of proportion

- Coco Chanel

*I have always appreciated those who dare to experiment
with materials and proportions*

- Zaha Hadid

Nothing requires the architect's care more than the due proportions of buildings

- Vitruvius



THE AIA BROOKLYN
CHAPTER MEMBERS ARE
FOREVER CHANGING

Welcome to our new members!

Oscar Boyko, AIA
Cemre Durusoy, AIA
Ana Ivascu, Assoc. AIA
Christopher Zardoya, AIA
Jaewoong Yi, AIA
John Doria, Assoc. AIA
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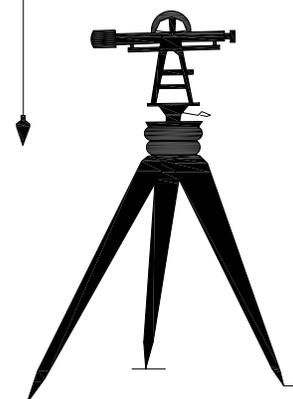
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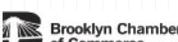
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