

# BNBA Forum

Official newsletter of the Buffalo Niagara Builders' Association



## April 2017

### New Home Sales Rise 6.1% in February

Sales of newly built, single-family homes continued to expand, **rising 6.1%** in February to a seasonally adjusted annual rate of 592,000 units, according to data from HUD and the Census Bureau.

"The uptick in mortgage interest rates is having a minimal effect on new home sales thus far," said NAHB Chief Economist Robert Dietz. "Ongoing job creation, rising household formations and affordable

home prices should keep the market on an upward trajectory in 2017."

The inventory of new homes for sale was 266,000 in February, which is a 5.4-month supply at the the current sales pace. The median sales price of new houses sold was \$296,200.

Regionally, new home sales rose 30.9% in the Midwest, 7.5% in the West and 3.6% in the South. Sales fell 21.4% in the Northeast.

### Builder Confidence at 12-Year High

Builder confidence in the market for newly-built single-family homes jumped six points to 71 on the NAHB/Wells Fargo Housing Market Index (HMI).

**The March HMI** is the highest reading since June 2005.

"While builders are clearly

confident, we expect some moderation in the index moving forward. Builders continue to face a number of challenges, including rising material prices, higher mortgage rates, and shortages of lots and labor," said NAHB Chief Economist Robert Dietz.

### OSHA UPDATE

In my capacity as BNBA president I met with Mike Scime, area director for OSHA. It was a cordial meeting and I learned several things about their enforcement efforts.

OSHA does not have the authority to inspect work sites except under three circumstances: 1) a complaint; 2) a visible violation from a public thoroughfare; and 3) a "general schedule" inspection (15 per month for entire 10 county region randomly drawn by University of Tennessee using Dodge Reports).

In other words, **they do not have the authority to simply stop into a job site to look for violations.**

Scime indicated that things ebb and flow on enforcement with the housing industry. He gave no indication that there are any enhanced enforcement efforts.

**See OSHA Update, page 6**

## Law Reverses OSHA Recordkeeping Rule

In a victory for NAHB and small businesses, President Trump on April 4 signed into law legislation that forces the Occupational Safety and Health Administration to reverse a recent [recordkeeping rule](#) that would harm small employers.

NAHB vigorously opposed OSHA for overstepping its authority when it unilaterally extended the explicit six-month statute of limitations on recordkeeping violations to five years.

Under the new law, OSHA can still issue a citation for recordkeeping paperwork violations up to six months after they occurred, and employers will still have the exact same obligation to record injuries as before.

The difference: OSHA will no longer be able to play “gotcha” by issuing a citation up to five years after the occurrence, which would do nothing to minimize workplace hazards but would subject small businesses to needless fines and excessive paperwork requirements.

## New Homes Strengthen Economy

Final estimates of fourth quarter 2016 gross domestic product growth show that housing's share of GDP is now 15.6%.

[NAHB research](#) shows that building 100 single-family homes in a typical metro area creates 297 full-time jobs and generates \$28 million in wage and business

income and \$11.1 million in federal, state and local tax revenue.

Over the last 12 months, home builders and remodelers have added 136,000 jobs on a net basis, and residential construction employment now stands at 2.7 million.

## Trump Signs Clean Power Plan Executive Order

President Trump recently signed an executive order directing the EPA to rework the controversial [Clean Power Plan rule](#), which requires states to reduce carbon dioxide emissions from power plants within their borders.

“NAHB commends President Trump’s executive order calling on the EPA to rework the Clean

Power Plan rule,” said NAHB Chairman Granger MacDonald. “If implemented, it could have resulted in the adoption of rigorous building energy codes that would harm housing affordability while doing little to reduce carbon dioxide emissions from housing. At the same time, the rule would add to the cost of new homes.”

## Make Plans for NAHB's Leg Con

Builders looking to send a message to Congress that it needs to take action to keep housing and the economy moving forward should mark their calendar for the most important grassroots event of the year — the 2017 NAHB [Legislative Conference](#).

The day-long conference is on Wednesday, June 14, and coincides with the NAHB [Midyear Board of Directors Meeting](#) in Washington, D.C.

## Most Popular Green Features

Roughly 22 percent of single-family builders always or almost always have their homes certified to a green standard, according to a recent NAHB poll.

The poll consisted of special questions in the January survey for the NAHB/Wells Fargo Housing Market Index. A total of 337 single-family builders responded to these questions, one of which asked if builders commonly used any of [21 specific green products](#) and practices on homes they built during the past year. The top 5:

- Low-e windows
- High efficiency HVAC systems
- Programmable thermostats
- ENERGY STAR appliances
- Duct systems designed to minimize leakage.

# BNBA CALENDAR OF EVENTS

## May

2	Tuesday	Associate Membership Meeting	3:30 pm	BNBA Office
2	Tuesday	Executive Committee	4:00 pm	BNBA Office*
4	Thursday	Code Group Meeting	10:00 am	B & L Wholesale
6	Saturday	Playhouse Building Day***	10:00 am	Buffalo Hardwood***
9	Tuesday	Board of Directors Meeting	4:00 pm	BNBA OFFICE
15	Monday	Finance Committee	4:00 pm	BNBA Office*
20	Saturday	Playhouse Project	10-4:00	Eastern Hills Mall
30	Tuesday	Public Relations Committee	8:30 am	BNBA Office

*Please note that all meeting dates and times are subject to change.*

*Notification of changes will be sent as these changes are made.*

### \*Closed Meetings

**\*\*\* Bring your crew and we can get some of the playhouses built that day...**

### Venue Addresses for above

**B & L Wholesale - 1 Bud Mill Drive, Buffalo, NY 14204**

**Buffalo Hardwood - 3801 Harlem Road, Cheektowaga, NY**

**BNBA Office - 5434 Genesee St., #4, Lancaster, NY 14086**

## 2017 Horizons Tour of Homes Coming in July

The Horizons Committee is proud to announce the **2017 Horizons Tour of Homes** presented by KeyBank will be held July 13-16 and 20-23.

This year's Home Show promises to be one of the biggest and most innovative the Association has ever held. With 12 builders presenting 15 finely decorated homes throughout Amherst, Clarence and Lancaster the public is sure to be impressed.

For the first time ever attendees will be able to view homes, plans, instantly connect to social media pages of builders and sponsors, geo-locate homes and scan QR Codes for products displayed in the home using the ParadeCraze App.

Presenting builders include: Bielmeier Builders, Julius Blum Builders, Essex Homes of WNY, Heartland Homes, IQ Modular, Jamco Development, Jurek Builders, Morgan Homes of WNY, Natale Development, Albert V. Randaccio Builders, Regency Builders, LLC and MJ Peterson/Tucker Homes.

On behalf of the Horizons Committee and the entire Association we want to thank the builders, sponsors and volunteers for their commitment to the **2017 Horizons Tour of Homes**.

Sincerely, the Horizons Committee



# Buffalo Niagara Builders Association

## Leadership

### **2017 BNBA**

#### **Executive Committee**

Jim Maloney  
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Patrick Tesmer  
President Elect

David Capretto  
First Vice President

Susan Ballard  
Treasurer

Ken Peterson  
Secretary

David Brody  
Presidential Appointee

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##### **Build PAC**

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##### **Horizons**

Susan Ballard, Dean Kroll and Jim Maloney

##### **Legislative Affairs**

Jim Maloney, Phil Nanula and Bill Tuyn

##### **Membership**

Chris Tucker and Pat Tesmer

##### **Public Relations**

Linda Moskal and Phil Nanula

##### **Past Presidents**

Dean Kroll

#### **BNBA Executive Operating Officer**

Barbara Bailey

5434 Genesee St., #4

Lancaster, NY 14086

Phone: 716-601-7257

Email: [bnba@bnba.org](mailto:bnba@bnba.org)

Website: [bnba.org](http://bnba.org)

# 100,000th Home Certified Under NGBS

The National Green Building Standard (NGBS) certification program has reached a major milestone with certification of the 100,000th home to meet its requirements.

Located in the Peyton Stakes rental apartment community in Nashville, the home was built and developed by the Profitt Dixon Partners and verified by Rachel Della Valle, an NGBS Green Master Verifier from Southern Energy Management.

The [100,000th NGBS certified home](#) is in a multifamily building that includes features such as Grade 1 insulation installation, Energy Star appliances, regionally appropriate landscaping, and low-flow water fixtures. It was built on a greyfield site near mass transit and many community resources.

Since the NGBS Green Certification Program started in 2009, it has provided builders with a national standard to define and measure sustainable multifamily and single-family homes, developments and remodeling projects. It also offers consumers a level of confidence that they are purchasing an independently verified green property.



**The 100,000th home certified to the NGBS is located in the Peyton Stakes rental apartment community in Nashville.**

Stakeholders are now working on the next edition of the NGBS. The kickoff meeting for the 2018 version will be held in April at the National Housing Center in Washington, DC.

## Solar Panels Not for Every Home

Solar panels are not suitable for every home, but the solar panel industry keeps pushing for codes that require all new homes to be "solar-ready."

The solar panel industry submitted an amendment to the 2015 International Energy Conservation Code (IECC) that would have required all homes to be built in such a way that solar panels could be accommodated on the roof.

The amendment was defeated, but it was included in the appendix of the 2015 IECC, allowing a state or local jurisdiction to require homes to be solar-ready if it so chooses.

Instead, NAHB strongly supports voluntary programs and tax credits that encourage solar panel use. NAHB has resources for home builders and HBAs to refute arguments that solar panels should be installed in all homes.

Contact NAHB's [Don Surrena](#) for information.

## A Look at Publicly Traded Builders

The top 10 publicly traded builders captured 27.4% of the 559,000 new single-family home sales reported by the Census Bureau in 2016, up from 25.6% in 2015.

As NAHB economist Steve Melman observed in a recent [Eye on Housing blog post](#), publicly traded companies possess many advantages over small builders. These include better access to credit from their own balance sheets, and economies of scale in land and material purchases as well as in advertising and land holdings.

But small builders have more knowledge of their local markets. Their smaller size gives them the flexibility to customize their product to meet local preferences. And small home building companies usually have their roots in the local market and can use their personal relationships to improve quality and increase repeat business.



## Builder Makes Homes for the Homeless

Building a home in less time than it takes to deliver a pizza is quite an accomplishment, even if it's a small home.

In an effort to house more of the homeless in the Seattle area, Mark Huber, President of Huber's Custom Building, recently designed and built numerous portable pods that can easily be assembled by just two people in under 30 minutes.

The dwellings may be very basic, but their simple assembly – and disassembly – is ideal for homeless encampments that are sometimes forced to relocate.

"If you had to go through the process of trying to bring in heavy equipment [each time they needed to relocate] the camp, it just didn't make sense," Huber said during an interview with local news station KIRO 7. "There ought to be a better way."

Huber, a very active member of NAHB's 20 Clubs, is no stranger to helping the less fortunate find solutions to their housing challenges. Through his previous initiatives working with those in need, he's become very familiar with the living essentials they value most.

Not only do the pods provide a roof over their heads at night, but they also give residents a comfortable place to change their clothes and safely store their belongings, which better enables them to focus on finding employment during the day, Huber said.

The homes are very small, but their compact size is actually a benefit to the occupants, especially on a cold night. One of the encampment's residents told KIRO 7 reporters the pods were the ideal size to retain body heat better than the larger pods and tents in which he previously lived.

"It's a lot better than [living] under [a] bridge," the resident said lightheartedly.

Watch the [video news report](#) that appeared on KIRO 7.

# OSHA UPDATE CONTINUED FROM PAGE 1

If we have firm proof of his employees sitting in subdivisions I came away with the feeling he would speak with his employees to make sure they understand that is not being allowed under their rules.

I asked about new rules or issues that are the focus of their efforts and the only one that will be on the horizon will be silica for the concrete industry. That rule has been delayed by the Trump Administration, however.

Perhaps most important, we had a discussion about builder liability for subcontractor violations. There is a set criteria for general contractor liability including the three C's.

If the home builder **Created** the unsafe condition; is responsible for **Correcting** the condition; or **Controls** the site, then they can be liable for subcontractor violations.

Obviously, the issue is what constitutes controlling a job site from a builders perspective.

We are currently planning a roundtable with OSHA to specifically review home builder liability for onsite OSHA violations.

**Sincerely, James R. Maloney**  
President, Buffalo Hardwood  
Floor Center  
President, Buffalo Niagara  
Builders Association

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# BNBA Leaders Meet with State Senator Chris Jacobs

Association members met with State Senator Chris Jacobs at his downtown office on April 10.

Sen. Jacobs showed true dedication by taking a 5:00 a.m. flight to Buffalo despite an expectation that the meeting with BNBA would likely be cancelled because of the Senate's work on the state budget.

BNBA members Andy Romanowski, Dean Kroll, Jeff Naab, Bill Tuyn, Dave Brody and Jim Maloney attended the meeting, which began with a look at Labor Laws 240 and 241. Senator Jacobs was interested to hear of the effects of these measures on our businesses. Bill Tuyn also explained the impact the measure is having on the State with \$100 million in additional costs for the Tappan Zee Bridge.

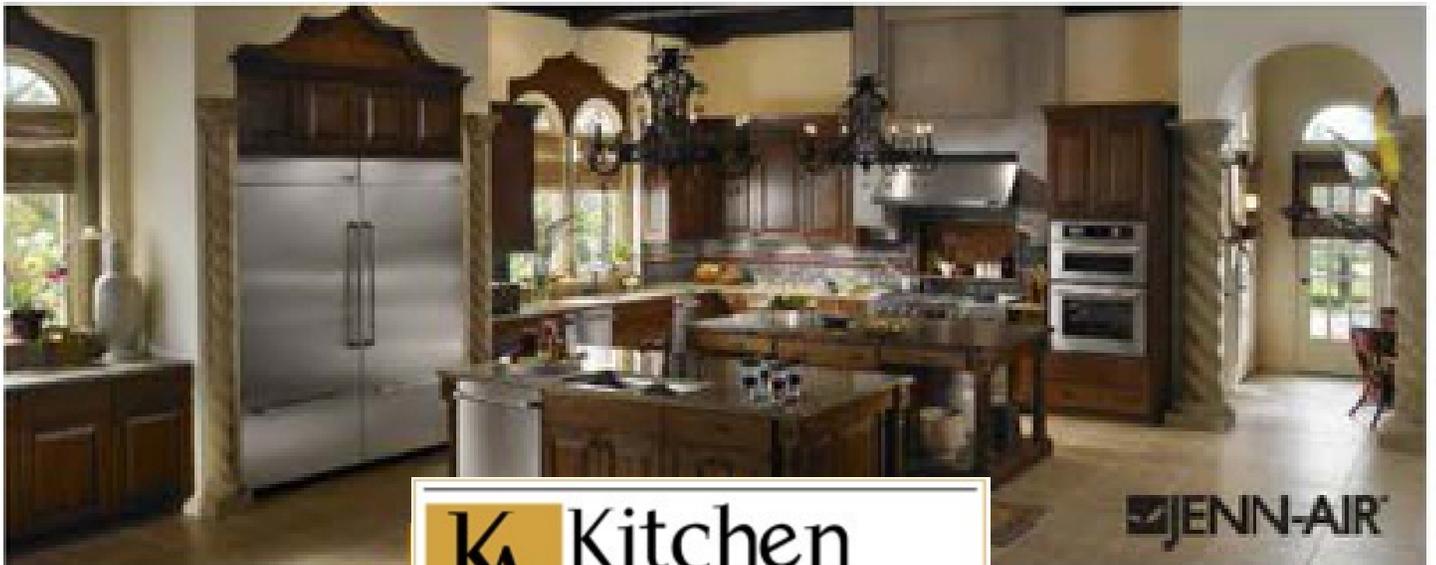
Sen. Jacobs discussed Workers Comp reform efforts and noted that while the current bill does not go as far as he wanted, it still likely to reduce business' costs by 7%.

Finally, we discussed the overall rise in the cost of housing due to government action. We explained our concerns about the "sprinkler bill" that could add as much as \$20,000 to the cost constructing a new home.

BNBA members have now met with Senator Jacobs, Senator Patrick Gallivan and Assemblyman Robin Schimminger. BNBA is working to schedule meetings with Senators Timothy Kennedy and Michael Ranzenhofer. All members are welcome to attend meetings with elected officials.

The purpose of the meetings is not necessarily to talk about specific bills, but rather to build relationships. Senator Jacobs was astounded to realize that the six people at the table represented 150 employees and contractors while statewide the builders association has 2,100 members and 91,000 employees.

Sincerely, James R. Maloney



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# PLAYHOUSE PROJECT

10:00 a.m. to 4:00 p.m.

Saturday, May 20

Eastern Hills Mall Parking lot

**The Playhouse Project** event will take place Saturday May 20 from 10:00 am to 4:00 pm at the Eastern Hills Mall parking lot (Transit Road side). Dominic Cortese will broadcast live from 10:00 -11:00 a.m. The Expo will open at 10:00 a.m. with presentations and demos starting at

11:00 am and running until 3:00 pm in one-hour intervals. Food trucks will be serving from 12:00 - 3:00 p.m.

**The Playhouse Project** is designed to help raise money for Habitat for Humanity by building and auctioning playhouses. The activities will be fun, interactive and informative for the entire family. It will feature food trucks from Frank's Gourmet Hot Dogs and The Sweet Hearth. Children can enjoy bounce houses, pony rides, children's activities and a free meal. Adults will be able to interact with team members building playhouses as well as attend presentations and demonstrations by BNBA members on the center state. Or they can stroll through the Expo and learn more about new products from businesses displaying their products.

2FindYourHome has graciously agreed to be the Premier Sponsor and will help promote and market the event along with developing and coordinating the auctioning of the playhouses through an online portal. Auctioning of the playhouses will begin online prior to the event as well as throughout the day of the event. The auction will also feature a "Buy it Now" price allowing the playhouse to be sold at a set price at any point during the auction.

If you would like to participate by building a playhouse or volunteering your time, please call the BNBA office at 716.601.7257.



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GLEN OAK  


# GOLF OUTING

## Wednesday, June 7, 2017

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711 Smith Road - East Amherst, NY 14051

Registration: 10:30 am                      Lunch: 11:00 m  
Shotgun: Noon                                  Cocktails: 5:00pm  
Dinner catered by Salvatore's: 5:30 pm

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*Reservations are due by 6/1/17*

To register call or e-mail the BNBA

Buffalo Niagara Builders Assn: 5434 Genesee St, Suite 4, Lancaster, NY 14086

BNBA - Barbara – [barbara@bnba.org](mailto:barbara@bnba.org) O -716.601.7257 F-716.601.7259 C -716.861.6060





## Member Advantage at a Glance

[www.nahb.org/ma](http://www.nahb.org/ma)

**Houzz** – Join over 25,000 NAHB member companies and get free access to Houzz Concierge Service, special discounts on local advertising programs, and up to 10% off Houzz Shop products. Learn more at [www.houzz.com/NAHBmembers](http://www.houzz.com/NAHBmembers) or call 800-640-8061.

**FCA US LLC** - A \$500 cash allowance for members, employees and household family members. This offer is good toward many new models in the Chrysler, Dodge, Jeep®, Ram or FIAT® vehicle lineup and is stackable with most current local or national incentives. Visit [www.nahb.org/fca](http://www.nahb.org/fca) to learn more.

**Lowe's** - Visit [www.LowesForPros.com/NAHB](http://www.LowesForPros.com/NAHB) or call 877-435-2440 and register to save 2% on your Lowe's Accounts Receivable (LAR) or Lowe's Business Accounts (LBA) purchases and free delivery on purchases over \$500. Save an additional 5% every day at the store when you mention the 5% at time of purchase and when using your LAR or LBA.

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**TSYS** (formerly TransFirst) - Payment solutions with average savings of 16% per year. Web/mobile tools, credit card and eCheck processing and more. Free "Savings Analysis" call 800-613-0148 or visit [www.tsysassociation.com/NAHB](http://www.tsysassociation.com/NAHB).

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**Omaha Steaks** - Save 10%, in addition to any online specials. [www.OSincentives.com/promo/nahb](http://www.OSincentives.com/promo/nahb)

**Endless Vacation Rentals** - 25% discount on over 200,000 vacation rentals worldwide. Call 877-367-6433 and mention NAHB at time of reservation or go to [www.endlessvacationrentals.com/nahb](http://www.endlessvacationrentals.com/nahb).

**Wyndham Hotel Group** - 15% off at over 7,400 hotels. Call 877-670-7088 and mention ID 8000002688. Go to [www.nahb.org/ma](http://www.nahb.org/ma) and click on the Wyndham logo to find out more.

**FTD** - 20% off floral arrangements and gifts at [www.ftd.com/nahb](http://www.ftd.com/nahb) or call 800-SEND-FTD use code 17421.

**Membership Renewals**  
***April 2017***

*The BNBA would like to thank the following members for renewing their membership:*

**Amherst Alarm**  
Jeff Naab  
716.632.4600

**Aqua Systems**  
Bob Zima  
716.688.0139

**Bielmeier Builders**  
Jim Bielmeier  
716.632.3905

**Buffalo News**  
Linda Moskal  
716.849.4514

**Bruce Builders Inc.**  
David Bruce  
716.662.6900

**KEP Design, LLC**  
Ken Peterson  
716.883.5158

**M & T Bank**  
Scott Guthrie  
716.848.7571

**Nussbaumer & Clarke Inc.**  
Rob Pidanic  
716.827.8000

**Parkland Development**  
Chuck Rizzo  
716.713.9364

**Thomas J. Johnson Construction Inc.**  
Tom Johnson  
716.662.1341



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