

July/August 2020

OnSite

METROPOLITAN BUILDERS & CONTRACTORS ASSOCIATION OF NJ MAGAZINE

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AWARDS OF
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2020

AND THE WINNER IS...



Metro President, Ronnie Glomb,
and AOE Chairperson,
Andrea LoMonaco will Present the
2020 Awards of Excellence
on September 17th

AOE SPONSORSHIP
OPPORTUNITIES FORM
SEE PAGE 2

AOE ADMISSION
TICKET FORM
SEE PAGE 15



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Association of New Jersey

2020 Awards of Excellence (Virtual Celebration) Sponsorship Opportunities

Thursday, September 17, 2020

6:30 p.m.—8:30 p.m.

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Awards of Excellence PROGRAM BOOKLET ADS:

FULL PAGE—\$300 (4.5" w x 7.5" h)

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OnSite / July/August 2020

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Mission Statement: Metro is a professional organization that shall serve to protect and advance the rights and interests of builders, remodelers and associates in all matters affecting the building and remodeling industries. Metro shall support the business interests of all its member firms, support safe and affordable shelter, and foster the American dream of home ownership.

Vision Statement: Metro is the leading trade association for the construction industry. Metro inspires active membership through professional development and advocacy. We embrace free markets to promote cost effective housing in NJ.

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President's Message

July/August 2020

To My Fellow Members,

Fourth of July weather was amazing, and we all got our fill of vitamin D. I hope everyone was able to take a much needed break from work to enjoy family and friends. Whether it be on the golf course, boating or just a good old-fashioned backyard cookout, you were able to slow life down just a little and enjoy the small things.

When reflecting on the first half on the year, it reminds me of building a house. When first starting, you have your plans and set schedule. As you begin to build, something always seems to take a bit longer than you expected. This sets your schedule back a bit. Then as you continue, something doesn't work out, and you have to scrap your original plans and you have to reorganize and reinvent. Even with all the new plans, rescheduling and redesigning, we as homebuilders still get it done. Instead of focusing on all of the changes happening, I challenge you to reflect after each day and ask yourself two questions, "What was I able to get done today? How did I help my business and family grow today?"

It's the same here at Metro, as we reflect on the first half of the year and start the second half of the year and plan our fundraisers and events with the current restrictions in place. Our committees are determined to deliver the best event or fundraiser that we can for our members. It's exciting to see how many committee members have contributed their time and ideas to make these events the best that they can be.

This is the time of year that we start looking for future leaders for this great association. I see so many members contributing to our weekly webinars that I encourage you to reach out to Bob or myself and be a part of our leadership team. As President, I would like to welcome our two new President Appointed Builder Board Members, Kristie Veri, co-founder of Cleanscape Construction, and Geraldine Smith of All Inclusive Construction & Building LLC. Both women were instrumental in our Metro Covid webinars and both are co-chairs of our newly created Professional Women in Building Council. I look forward to their leadership and future contributions to Metro.

Have a great summer!!



Metropolitan Builders & Contractors
Association of New Jersey

Ronnie Glomb
2020 Metro President



Bob's EO Perspective



Team Effort...

Needless to say, it has been a really different kind of year for us all, right down to not recognizing one another if we met on the street with our masks on. Metro has come a long way on the learning curve toward the new normal in doing business, the importance of technology and how vital services are needed by our membership. It truly is a team effort!

We are in the last half of the year with several important events to arrange for Metro and we are turning to our members to please get involved and participate – that is what being a part of an association is all about. Getting involved is how you meet your fellow members while helping the association. You are creating new business contacts, or a contact that could refer a new customer to you; then you are helping yourself at the same time. That is the name of the game and always has been!

The first event is coming up on September 17th, 2020: **36th Annual Awards of Excellence**. Did you know that one

of the founders of the AOE was the father of a member, Stephen Shaw, from Shaw Built Homes and a sitting Morris County Freeholder? A single idea started and has just grown through the years. This year, we encourage all of our members to attend the AOE virtual celebration and show some Metro Pride. Take out an ad in the program book; purchase an admission ticket (zoom link), log in and watch the event. It is a night to “Celebrate the Best of the Best in our Industry”.

Moving on to October 6th, 2020, we are holding our **Fall Golf Outing** at Royce Brook Golf Club in Hillsborough, NJ. Connect with business associates or friends to make up a four-some to come out for a round of golf, prizes, dinner and some comradery. A day of relaxation and a game of golf is just what you need to boost your business! If you are unable to play that day, expose your company to some branding by taking a sponsor sign.

Get involved!

Bob Bracken, EO
bbracken@metroboa.org
Cell: 973-222-5173

“Never doubt that a small group of committed people can change the world. Indeed, it is the only thing that ever has.” - Margaret Mead

SAVE THE DATE • 4th Annual Metro Cup



Tuesday, October 6, 2020
Royce Brook Country Club, Hillsborough, NJ



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H & Y Properties Yisroel Kaufman

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Bio: Apparel – Corporate Wear

Capital Investigations Timothy Gray

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tgray@capinvestigations.net
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Bio: Legal Services – Collections

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Tom Colicchio	1
Frank Coppola	2
Andrew Giannattasio	1
Ronnie Glomb	16
Hendel Gonzalez	1
K. Hovnanian	1
Roger Hendrickson	1
Felix Lettini	1
Timothy Lough	1
Dominick Paragano	1
John Quense	1
Stephen Shaw	1
Ralph Tarnofsky	1



Membership in this prestigious Club is for any Metro member who has brought in 2 or more new members during 2020. Thank you for your efforts in recruiting new Metro Members!

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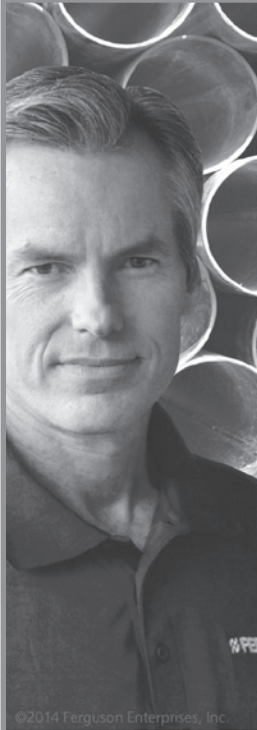
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Contract Addendums & New Provisions To Address The Realities Of COVID-19

By Jason Rittie, Esq.

At this time of the pandemic, some of the most impacted areas within real estate and construction are residential purchases and sales and home improvement contracts. Addendums and new contractual provisions are going beyond standard agreements and, in some cases, giving a buyer or seller extraordinary rights.

Residential Purchase & Sale Contracts

Increasingly, purchase and sale contracts are using addendums to recognize the unprecedented impacts of the pandemic on real estate transactions, including:

- travel restrictions
- self-imposed and governmentally required quarantines
- closures of governmental and private offices required to fund, close and record transactions

Attorneys are drafting provisions directly in contracts or within attorney review letters. The addendums addressing these new problems give a buyer and/or a seller extraordinary rights such as an option to postpone or delay a closing due to Coronavirus illness, or an option to terminate the contract if, for example, there is a pandemic-related loss of income or employment.

The following is an example of new contractual language addressing the impact of COVID-19 and anticipated issues resulting from the pandemic:

The Buyer and Seller acknowledge and agree that this transaction is occurring during a National Emergency and Pandemic caused by the COVID-19 (commonly known as the "Coronavirus"). The parties further acknowledge and agree that there are Governmental Orders that have been and continue to be issued, together with resulting changes to Municipal Government and general business practices that are currently, and will prospectively, materially affect time frames for performance under this Contract. As such, the closing date hereunder shall be subject to force majeure, and all time periods set forth herein for compliance with any of the above shall be extended due to governmental closures, pandemic, epidemic, catastrophe, accident, weather, storms, acts of war and insurrection, unavailability of materials, strikes, embargoes, moratoriums or other conditions beyond the parties' control. For purposes of this transaction, some anticipated matters beyond the parties' control, may include, but be not limited to, scheduling inspections, accessing the

property, obtaining any required municipal permits (such as certificate of continued occupancy, smoke detector, fire extinguisher and carbon monoxide), obtaining a Bulk Sale Notice in a timely manner, and/or conducting closings. Consequently, the Buyer and Seller do hereby agree to act reasonably and in good faith towards effectuating the purchase and sale of the subject property knowing that strict adherence to timeframes may be impacted by factors beyond the parties' control, and neither party shall be deemed in default without having been given a reasonable opportunity to correct or cure any alleged defaults, taking into consideration the facts and circumstances as they then may exist at the time of the alleged default.

New Jersey Home Improvement Contracts

The Home Improvement Practices Act requires that all contractors engaged in home improvement be licensed, and all home improvement contracts in excess of \$500 (and change orders) be in writing and signed by all parties. In addition, all home improvement contracts must include a detailed description of the work to be performed, materials used, a start and end date, and the total cost.

However, with the pandemic, the required home improvement contract terms, such as the start and end date, could be potentially materially affected, due to any of the following issues:

- Materials are unavailable due to supply shortages
- Construction permits are not timely issued by a municipality
- You or your employees become ill or are exposed to the virus

To avoid potential claims by homeowners for breach of contract, the home improvement contract must include protections to address foreseen and unforeseen circumstances due to the pandemic. Specifically, "force majeure" is a contract provision which, under certain described circumstances, will either delay or excuse timely performance required by the contract. The use of a force majeure provision is common but often overlooked, and the language is frequently buried in the "miscellaneous" section of a contract. The pandemic, however, has brought the force majeure provision to the forefront.

Delays in performance caused by the pandemic are being challenged by referencing force majeure provisions. It is critical to review your agreements and identify this provision. Finding the time to undertake a review of contracts may be difficult while trying to manage day-to-day operations, and it may be more efficient to request a review from counsel.

The key is that this language must be carefully drafted to protect against breach of contract claims for delays or failures in performance caused by the pandemic.

Jason Rittie, Esq., is a partner in the Closely Held Business Group of Einhorn, Barbarito, Frost and Botwinick in Denville, NJ, and is available via virtual meetings to help alleviate some of the pressure and stress business owners are managing under the pandemic. Jason can be reached at jrittie@einhornlawyers.com or 973-586-4958.

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Newest President Appointed Builder Board Members

Geraldine Smith



All Inclusive Construction & Building LLC was formed in 2016 and we serve Somerset, Morris, Hunterdon, Warren Counties and the surrounding areas. The name was chosen because we are all inclusive in the types of work that we do. We handle everything from small

jobs to ground up construction and everything in between. Although we have only been in business as this company for 4 years, we have built a team with decades of experience in the construction industry. All Inclusive is owned by Geraldine Smith, who is also co-chairing the newly created Metro's Professional Women in Building Council.

Kristie Veri



Kristie Veri is a co-founder of Cleanscape Construction, a leading general contractor and maintenance company serving N.J. since 2006. Based in Bergen County, N.J., Cleanscape is a certified MWBE corporation

and specializes in commercial and residential construction, including new builds and renovations. Kristie is also a co-chair to the Professional Women in Building Council.

Submitted by Metro Associate Member
and Associate Director, Karen Adamsbaum



As a result of the Pandemic and Stay-At-Home Order issued by the Governor, the Commissioner of Banking and Insurance has approved amendments to the New Jersey Workers Compensation guidelines.

As we know, Workers Compensation coverage can get costly for us, so any relief would be helpful. The changes are effective immediately and will apply to policies in that are currently in effect on/after March 21, 2020, which is the day the Stay-At-Home Order was issued. The changes will remain in effect until 45 after the Stay-At-Home Order is lifted.

The 3 changes are:

1. **The payroll for those employees whose duties were previously assigned to a higher-rated governing classification to be reassigned to code 8810 (clerical office – lower rate)**
2. **The payroll for those employees who are not rendering services for the employer, will be reassigned to code 0012. Another way of looking at this is a “hold” class code, where the employee is temporarily not performing duties, but will be once the environment turns around.**
3. **Any COVID-19 claims will be excluded from the Experience Rate Modification calculation, therefore will not impact your overall Workers Compensation premium.**

I welcome your questions about these changes. Feel free to call me at office 908-526-4600 x207, or cell 973-224-0395, email Karen@insuranceagent.com.

Additionally, I have a youtube channel (search Karen Adamsbaum, over 100 videos) and Podcast called Risk Intelligence which is available on iTunes, Spotify, Google and AnchorFM.

Karen Adamsbaum, CIC

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Members Helping Members And An Eagle Scout

Metro Members rose to the call from Joey Coppola, son of Frank Coppola, needing assistance in reaching his goal to be an Eagle Scout, which is a really big deal. Joey, will be a Senior in high school in Hunterdon County where he is a Boy Scout of Troop 191. On a scout's journey to acquiring the rank of Eagle, one of the most significant steps to earning this rank is for a scout to complete an Eagle Scout Project. His project idea surfaced after he helped a dear friend, Mr. James Phinny, who is one of the many brave men who stormed Normandy on D-Day and later served in the Korean War – James became a role model, for Joey.

Boy Scouts of America was formed in 1911 and since their inception, only four percent of Scouts have earned this rank. The Eagle Scout rank has only been earned by about 2.5 million youths over the past 109 years.

In July, Joey Coppola contacted our association asking for some volunteers to assist him in completing the erection of a Memorial Monument for Veterans at Independence Manor Retirement Home in Flemington, NJ. I sent out an email blast titled: Member Needs Help and a squad of our members responded immediately. Four days later, the Metro volunteers met up with Joey at the retirement home to uncrate, move and place the 3-piece granite structure.



The squadron of volunteers consisted of: Brian Maffia, with General Plumbing & Supply, a Hammer Sponsor at Metro; Jimmy Villane, son of Don Villane, from Villane Building & Development in Scotch Plains; Mike Brusky from Eastern Contractor Services in Flanders and lastly Geraldine Smith, with All Inclusive Construction & Building in Branchburg who also brought Doug and Ed from her construction crew.

Now, all that is left for Joey Coppola to do is to let us know that he reached his goal and was awarded the Eagle Rank.

While we had no idea how heavy a task we were undertaking, we got it done with a lot of joking around and comradery, which is what the association is all about. This executive officer is giving a big shout out of "Thanks" to the squad that helped. You guys are the greatest!



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