

CBRA E-NEWSLETTER

March 11, 2011



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www.cbranj.org

MARCH AT CBRA IS MEMBER BENEFITS MONTH

Are you getting the most out of your membership?

Review all of the benefits below to see how you can save!!

CBRA EVENTS

March 19, 2011 – 6:00pm – A Night At The Races – Meadowlands Racetrack

Information and registration below.

March 23, 2011 – 6:00pm – General Membership Meeting – Valley Regency

Join us for a presentation by William Procida of Procida Funding & Advisors. Mr. Procida will be reviewing business opportunities in the building industry. PLEASE NOTE THIS IS A WEDNESDAY NIGHT. The registration flyer is below.

April 6-8, 2011 – Atlantic Builders Convention – Atlantic City

Visit <http://www.abconvention.com/> for more information and to register

April 7, 2011 – NJBA Installation Gala at ABC

Join us in celebrating our members who are serving as leaders for NJBA. CBRA Past President, Dominick Paragano will be installed as 2011-2012 NJBA President and CBRA Board Member, Robert Fallone will be installed as 2011-2012 NJBA Treasurer. Visit <http://abconvention.com/events/?President-Installation> to register and help CBRA celebrate our leaders.

2011 CBRA SCHOLARSHIP CALL FOR APPLICATIONS

Do you or an employee of your firm have a son or a daughter that will attend college this coming September 2011? Would you like to have the opportunity to get a few extra bucks to help defray the enormous cost of college today? Well, here's how you can do that! Last year, CBRA awarded \$9,750 in scholarship monies. Any child of a member or member firm can apply. All you have to do is call the CBRA office at 973-887-2888 to get a copy of the application form. The deadline for submitting the applications is

April 15, 2011.

Scholarship awards will be presented at the May General Meeting at the Raritan Valley Country Club.

FOR SALE *****

Fully approved 14 lot subdivision east of Route 9 in Berkeley Township, Ocean County. 2 cul-de-sacs. Asking \$799,000 and subject to third party approval. For more information call: Carrie McNally 732-814-5327

22+ acres in Princeton Township. Subdivision possibility of 4-5 lots. Most of property borders Green Acres or Princeton Township Park. Call Gail Firestone at 609-915-3931 for more information



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ATTORNEYS AT LAW

CBRA is partnering with William Procida, Inc. to present an exclusive opportunity for our members to gain knowledge and access regarding New Construction & Remodeling in this current economic climate.

There will be three (3) seminars throughout the 2011 year, presented by William Procida.

1. How To Take Advantage Of Remodeling And Redevelopment Opportunities
2. Fix 'Em & Flip 'Em Program
3. Why Be A General Contractor When You Could Be A Developer

William Procida is the founder and chief exec of Procida Funding and Advisors. Procida has 30 years of real estate and work out experience with a significant background in construction, development, finance, marketing and restructuring.

Mr. Procida was the founder and CEO of Palisades Financial a private equity fund manager which completed over \$1 billion in real estate investments of every asset class thru out the eastern United States each year out performing the DOW and S&P.

Mr. Procida was also the founder of Procida Development and Co- President of Procida Construction which was a nationally ranked construction firm and homebuilder. During his tenure the firm's revenues grew from \$1 million in 1980 to over \$75 million in 1994.

Billy has been recipient of the prestigious NYC Developer of the Industry Award, The National Homebuilders "Pillar of the Industry Award and Man of the Year Honors from the Mortgage Banker's Association, Bronx Chamber of Commerce and several charities.

Procida is a regular commentator on cable and network news, has been the subject of hundreds of articles and has published dozens of articles over the course of his career as well as lectures at prestigious colleges such as Columbia and NYU as well as industry events for both lenders and builders.

This opportunity is available to all members, (Builders & Associates alike). Members of this program will be acknowledged with a special name tag as well as being included in all CBRA event marketing, On-Site newsletter, E-blasts, programs and journals throughout 2011.

Program Cost: \$500

Contact Andrea Selinski at : andreas@cbani.org or 973-887-2888 x300 to register

NEW JERSEY SUPREME COURT HEARS ORAL ARGUMENT ON WHETHER TO IMPOSE PERSONAL LIABILITY AGAINST CORPORATE SHAREHOLDERS OF HOME IMPROVEMENT COMPANY FOR VIOLATING NEW JERSEY'S HOME IMPROVEMENT PRACTICES REGULATIONS

By: Eric L. Probst, Esq.

The New Jersey Supreme Court heard oral argument on Monday, February 28, 2011, in a case whose outcome potentially poses significant risk for corporate shareholders that own and operate home improvement businesses. The Court has been asked to determine whether a customer suing the corporation for violating the New Jersey Home Improvement Practices ("HIP") regulations can impose personal liability against the corporate owner if the owner participates in the violation, or whether the customer must first pierce the corporate veil to impose personal liability against the corporate shareholder, meaning the customer must prove that the corporate owner fraudulently used the corporate form for the owner's personal benefit or to shield the owner from individual responsibility for corporate debts. Our firm filed an *amicus curiae* brief to the New Jersey Supreme Court upon behalf of CBRA and other home improvement associations and argued that a homeowner must pierce the corporate veil before the homeowner can impose personal liability against the corporate shareholder.

In the case, *Allen v. V and A Brothers, Inc.*, the homeowner alleged that a landscape contractor and its owners and employee defectively installed a retaining wall and violated the HIP. The retaining wall supported an area of flat ground into which an in-ground swimming pool had been installed. The homeowner complained and proved that the landscaping company, the owners and employee violated the HIP when they: failed to execute a written contract for the retaining wall work; failed to obtain final approval of the project by the township before requesting final payment; and modified the design and substituted inferior backfill material for the contract-specified fill without homeowner approval. Because violations of the HIP also constitute violations of the New Jersey Consumer Fraud Act ("CFA"), the court tripled the \$130,000 damage award to \$390,000 and awarded the homeowner attorneys' fees and costs of suit.

At oral argument, the Court challenged the home improvement contractor's counsel to identify a statutory source to support the argument that corporate shareholders should not be personally liable for HIP violations. Two Justices did not believe a distinction should be made between violations of the CFA (affirmative misrepresentations and knowing omissions), for which shareholders have been held personally liable, and violations of the HIP. Two Justices were inclined to support the home improvement contractor, while three other Justices remained silent. The Court did consider the arguments we raised in our *amicus curiae* brief on behalf of home improvement associations. In the brief, we argued that a homeowner must first prove that the corporate form is a sham before imposing personal liability against its owners/operators of home improvement contracting companies because the purpose of the corporate form is to shield the shareholders from personal liability.

If the Court upholds the Appellate Division's decision imposing personal liability against the shareholder, which we believe it will, we expect to see an increase in lawsuits against corporate shareholders for violations of the CFA and HIP. The decision should be handed down in 60 to 90 days, and we will report on it at that time.



2011 CBRA MEMBER BENEFITS

CBRA members have access to the NAHB Member Advantage Programs and the NJBA Member Incentive Programs.

In most cases, you will need your NAHB Pin #. Contact CBRA if you need to verify what the pin # is. Be sure to use these benefits to their full ADVANTAGE.

NAHB MEMBER ADVANTAGE PROGRAM

Members Advantage gives members an easy way to reduce expenses, maximize profits and increase efficiency. Through agreements with leading national companies, NAHB offers exclusive discounts on a variety of products and services that can benefit your business, employees and families. In the past 3 years, members have saved over \$21,000,000 through Member Advantage. For the most up-to-date information about which companies are offering discounts as well as detailed information on how to access savings, please visit www.nahb.org/ma.

Lowe's - Visit www.LowesForPros.com/NAHB or call 877.435.2440 and register to save 2% on your Lowe's Accounts Receivable purchases. Plus, get free delivery on purchases of \$500 or more.

General Motors - \$500 exclusive private offer on most Buick, Chevrolet and GMC vehicles.

FedEx Advantage Program & YRC Transportation

- Up to 10% on select FedEx Home Delivery® services
 - Up to 70% on FedEx Freight® & FedEx Nat'l LTLSM services
 - Save at least 70% with YRC for your freight shipping needs
 - Up to 29% on select FedEx Express® U.S. services
 - Up to 25% on select FedEx Express international services
 - Up to 20% on select FedEx Ground® services
- Visit www.1800members.com/nahb or call 1.800.MEMBERS (1.800.636.2377)
www.OSincentives.com/promo/nahb

Solveras Payment Solutions - Web/mobile tools, credit card and eCheck processing, check services and more. Free "Savings Analysis" offered to NAHB members by calling 800.613.0148 or online at www.solveras.com/nahb. Average Savings \$2,308 a year.

Dell - Up to 30% off on top of the line Dell computers. Call 800.695.8133 and Mention NAHB or visit www.dell.com/mpp/nahb

Liberty Mutual - Up to 10% on auto and home owners insurance. Call 1.800.531.3398 or visit www.libertymutual.com/nahb

Hertz - Up to 20% off on rental cars and FREE Gold Club membership. Use CDP# 51046

Avis - Up to 25% off rental cars at www.avis.com/nahb or call 800.331.1212 and use AWD code G572900

Budget - Up to 20% off rental cars at www.budget.com/nahb or call 800.283.4387 and use BCD code Z536900

Hewlett Packard - Discounts: 9% notebooks, 5% printers/scanners, 7% handhelds, 12% workstations (faster processing power – ideal for graphics, blueprints), 16% servers, 12% storage, 6% third party options (over 10,000 items), plus free ground shipping. To place your order call 1.888.202.4488 and mention pass code "NAHB" or visit www.hp.com/go/nahb

Office Depot - 10% off all delivery orders. Free shipping on orders of \$50 or more. Call 800.274.2753 mention NAHB membership or visit www.officedepot.com/nahb

Omaha Steaks - Save 10% off all online promotions. This discount is in addition to any online specials.

Endless Vacation Rentals - 10% off Endless Vacation Rental properties in the US, Caribbean, Mexico & Canada. Over 60,000 locations including select US Disney properties. Call 877.670.7088 and Mention ID 20090 at time of reservation or go to www.evrrentals.com/nahb

Wyndham Hotel Group - 20% off the best available rate at over 6,500 hotels, resorts. Mention ID 20090 at time of reservation. 877.670.7088. Wyndham Hotel Group includes: Wyndham hotels & resorts, Wingate By Wyndham, Hawthorne Suites, Ramada, Days Inn, Super 8, Baymont Inn & Suites, Microtel Inns & Suites, Howard Johnson, Travelodge, and Knights Inn

FTD - 15% discount at www.ftd.com/nahb or call 800.SEND.FTD use code 17421. Includes FTD bridal, Vera Wang and Todd Oldham Collections



2011 CBRA MEMBER BENEFITS

NAHB Career Center www.nahb.org/careers - 20% off of standard rates for job posting & 15% off other HR services

Paychex - 15% off payroll processing and selected human resource services setup fees. Call 800.729.2439 & Mention code 5685

NJBA MEMBER INCENTIVE PROGRAM

NJBA MEMBER REBATE PROGRAM

Benefit of participating - The biggest perk? Money. And all for just remaining loyal to many of the country's leading manufacturers you already use in all of your homes. Rebate checks are mailed quarterly.

No change needed in your business practices. Besides the money, the next-best part of the program is that it doesn't change the way you do business. You aren't required to submit receipts, and you don't have to change how you purchase products. We do the paperwork, collect the money and mail you the quarterly checks directly!

Who are the participating manufacturers?

Bradford White • Bryant • C.H.I. Overhead Doors • Carrier • Crane Performance Siding • Daltile • Delta • Dirt Devil Central Vac. Systems • Eldorado Stone • Evermark Wood Doors • Exterior Portfolio by Crane • Heatilator • Heat & Glo • Honeywell Comfort Solutions • Honeywell Security • Honeywell Structured Wiring • Jacuzzi • Lutron • Mansfield Plumbing • Monarch Paints • Pittsburgh Paints • Porter Paints • Progress Lighting • Rapid Response Fire Sprinklers • Therma-Tru • TimberTech • TimberTech FenceScape • VACUFLO • Velux • Warmly Yours • Zurn Pex Plumbing - To register in the program:

<http://www.sibuyingnetwork.com/GENERALBroch.htm>

Dental Benefits For NJBA - CBRA

Employees and Families

Preventative Care / Restorative Care / Periodontic Care / Orthodontic Care

Voluntary coverage with no Minimum Participation

No Deductibles / No Annual Maximums / No Claim forms / Minimal CoPays

Monthly Premiums

Single	\$16.88 per month
Two Party	\$28.34 per month
Family	\$40.08 per month

Sample Costs

○ Periodic Exam	\$0
○ Cleaning	\$0
○ Silver Filling	\$0
○ Crown	\$150
○ Dentures	\$175
○ Orthodontics	
▪ Child	\$1,300
▪ Adult	\$2,500

NJBA BUILDERS LIABILITY INSURANCE NJBA members can now access a comprehensive coverage program specially designed to meet the needs of builders, developers & residential GC's large and small from an "A" rated insurance company. Liability insurance discounts up to 15% are possible for NJBA builder members that include CGB, CGR, CGP, GMB, GMR designations. Available through Anthony & Company in conjunction with the Homebuilders Coverage Program, NJBA insurance Master Sponsors, and selected other insurance organizations.

For more information contact:

Anthony Bevilacqua

908-806-8844

anthony.bevilacqua@anthonycompany.com



2011 CBRA MEMBER BENEFITS

VERIZON WIRELESS DISCOUNTS

Monthly Discount

- 22% corporate
- 18% employee

Accessory Discount

- 35% corporate
- 25% employee

Bill Incentive Credit on New Lines of Service

- \$75 per line, exp. 3/31/2010
- 2yr plan \$34.99 & higher

Email Plan

- \$20 w/\$34.99 voice, 2yr

Eligible Members - Contractors & Subcontractors

Enroll at www.mynpp.com

For assistance please contact:

Rishi S. Nagil | Business Account Executive

M - 973-287-9306 | F - 973-254-2962 | 540-548 US HWY 46 Totowa, NJ 07512 | Rishi.Nagil@VerizonWireless.com | VerizonWireless - It's The Network!

Mutual of Omaha

As an association member, you are eligible to apply for insurance coverage at preferential rates or with no-cost benefit enhancements that are not available to the general public. Contact Gino Ziccardi, Joel Barrish or Frank Petrelli 973-984-0222 for more information.

WWW. WORKINGADVANTAGE.COM

Entertainment - Save up to 60% on movie tickets, theme parks, ski resorts, hotels, museums, zoos, attractions, aquariums and more!

Theatre & Events - Find great seats and super deals on a huge selection of Tony Award®-winning Broadway shows, family events, concerts and sporting events nationwide.

Shopping & Gifts - Working Advantage has partnered with your favorite online retailers to bring you excellent discounts on apparel, books and music, electronics, office supplies, flowers, food, and home. Don't miss our wide selection of gift certificates for everyone on your list.

Earn Rewards - Look for the Advantage Point symbol and earn points to be redeemed for movie tickets, gift cards, and more.

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“NIGHT AT THE RACES” MARCH 19, 2011

Featuring:
Buffet Dinner at the Meadowlands Racetrack
Terrace Suites (6:00pm)
Live Thoroughbred Racing

- \$99 - single ticket
- \$89 - 2 or more tickets
- \$750 - Special Race Night Package includes 8 tickets plus a table sponsorship (proudly advertise your company with a sign and company literature on table)
- \$300 - Sponsor A Race! Limited availability...reserve today to guarantee
 - You choose the race number (subject to availability)
 - You name the race (your name, company name, spouse's name, etc) for presentation on the scoreboard
 - You and up to three guests photographed in the Winner's Circle with the winning horse and jockey
 - You receive a souvenir photo
- \$150 - Sponsor a Table for \$150 – attendance not required

RESERVATION DEADLINE: March 11, 2011

RESERVATION FORM 3/19 Night At The Races

Name: _____
Company: _____
Telephone Number: _____ Email Address: _____
Additional Attendees: _____, _____, _____, _____, _____

_____ Number of attendees (\$99 each) = \$ _____
_____ Number of attendees (\$89 each) = \$ _____
_____ Special Race Night Package (\$750) = \$ _____
_____ Yes, I want to sponsor a race (\$300)= \$ _____

Race # _____

Race Name _____

_____ Yes, I want to sponsor a table (\$150)= \$ _____

_____ \$ TOTAL

My check for \$ _____ is enclosed.

Charge my MC/Visa#: _____

Name on Card _____ Exp. Date _____ Sec Code _____
Address _____ City _____ State _____, Zip _____

Mail to: CBRA, 9 Whippany Road, Suite B2-3, Whippany, NJ 07981

Fax to CBRA (973) 887-2926 or email to sharonb@cbanj.org

NO RESERVATIONS WILL BE ACCEPTED WITHOUT CHECK OR CREDIT CARD INFORMATION

CANCELLATIONS MUST BE RECEIVED 48 HOURS IN ADVANCE



CBRA GENERAL MEMBERSHIP MEETING EXPANDING YOUR BUSINESS OPPORTUNITIES

WHEN: WEDNESDAY, MARCH 23, 2011 - 6:00PM
WHERE: VALLEY REGENCY
1129 VALLEY ROAD
CLIFTON, NEW JERSEY 07013

Join CBRA for an exciting presentation with William Procida, and learn about new business opportunities available in our industry. William Procida is the founder and chief exec of Procida Funding and Advisors. Procida has 30 years of real estate and work out experience with a significant background in construction, development, finance, marketing and restructuring.

Mr. Procida was the founder and CEO of Palisades Financial a private equity fund manager which completed over \$1 billion in real estate investments of every asset class thru out the eastern United States each year out performing the DOW and S&P.

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RESERVATION FORM

3/23/11 General Membership Meeting

Name: _____

Company: _____

Telephone Number: _____ Email Address: _____

Additional Attendees: _____, _____

Dinner cost is **\$55** per person in advance, **\$75** Non-Members

My check for \$ _____ is enclosed.

Charge my MC/Visa#: _____

Name on Card _____ Exp. Date _____ Sec Code _____

Address _____ City _____, State _____, Zip _____

Mail to: CBRA, 9 Whippany Road, Suite B2-3, Whippany, NJ 07981

Fax to CBRA (973) 887-2926 or email sharonb@cbanj.org

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