

President's Statement



I know from some recent telephoning regarding outstanding dues payments that a significant number of Chapter members are asking whether they're getting real value for their dues dollar. Under the circumstances, I suspect the last thing in the world you will want to read is a broad Presidential review of the State of the City, the Economy, or the Profession. So I'll *make* that the last thing.

First, I'd like to redirect your attention to those everyday services performed on your behalf by the Chapter office here in New York, the State Association, and the Institute in Washington. Summed up, they are all those elements of our profession which cannot be accomplished by any one of us all alone. Among them are:

Documents — The ongoing effort to keep a set of internally-consistent contract documents up-to-date and responsive to the changing realities of professional life. Even when special circumstances preclude the use of AIA Forms, they provide a standard of reference whose recognition is world-wide. Gradual improvement in the terms and conditions of government documents at all levels — from City to Federal — has been possible through concentrated action in a way that individual complaints could not begin to accomplish.

Professional Liability Insurance — No one is happy with the present premiums, performance, or climate of litigation — either in ours or most other professions, for that matter — but the problem is receiving attention at all levels of the Institute. Some of the larger offices could obtain acceptable coverage on their own — as they do now — but most of the rest of us would be at a terrible disadvantage if we were to enter the insurance market on our own.

Public Spokesman — While each of you are and remain free to speak your piece on all matters of public policy, there are many occasions where professional, commercial and aesthetic concerns that we hold in common are best expressed through the impersonal voice of the Chapter or Institute, cloaked in whatever dignity we can muster. We have been able to affect legislation and decisions at all levels of government with increasing effectiveness in recent years and even deflect the plans of some of the most determined forces in the private sector.

Ethics and Conscience — Like any other subdivision of society, specialized standards of ethical behavior are probably best worked out, and defended, by rational discourse within the profession rather than left to the jungle of individual initiative. Similarly, organized intent has been able to accomplish more productive action in support of fair conditions of employment, minority scholarships, and community support than the uncoordinated goodwill of well-intentioned individuals.

Secondly, the Chapter and the Institute provide a forum for the interchange of ideas and experience that are a useful enlargement of professional life. Commercial rivalry, especially as it heats up in tough times such as this, is a potentially destructive force that is best tempered by the natural openness that characterizes our committee work and general meetings. Whatever one gives up in self-serving secrecy in the course of mutual debate and discussion of common problems is always outweighed by new knowledge gained from one's cooperative fellows.

And, finally, to the last thing. The Chapter is embarked upon a broad study of the ways in which we, as concerned citizens and architects, can best contribute ideas and services to the resolution of some of the awesome problems confronting our city — and all cities. We approach the matter with a mixture of humility, fear and cocky sense of our own wise vision. We'll try to keep things in balance as we prepare for the political year of 1976.

Robert F. Gatje

Executive Committee Actions

June 4, 1975

- Nominated Michael Maas for president-elect of the NYSAA.
- Approved Historic Buildings Committee's list of interiors to be recommended to the Landmarks Commission for designation.

June 26

- Resolved to join in submitting an amicus curiae brief supporting the City's suit to overrun the court decision invalidating the landmark status of Grand Central.
- Resolved to support amendment to the Lincoln Square Special District.
- Approved the Brunner Scholarship Committee's recommendation that this year's award go to Elliot Willensky for a guide to "Hidden New York".

July 9

- Began a discussion, initiated by Richard Stein, on the profession's status and potentialities.

August 6

- Continued the discussion initiated at the last meeting; committee chairmen met with the executive committee later in the meeting.

September 3

- Approved a draft budget indicating an unavoidable deficit for the fiscal year 1975/76. Resolved to change the name of the Headquarters Fund to the Immediate Reserve Fund.
- Heard George Lewis describe discussions he had with the State Tax Commission and others concerning the new NYC sales tax on interior decorating and designing services (see article this issue).

Welcome to New Members

The NYC/AIA welcomes the following members:

Corporate

Theodore Ariev
Robert T. Bayley
Adrienne Bresnan
Richard S. Condon
Theoharis David
Steven M. Goldberg
Peter M. Gumpel
Raymond W. Jean
William Maurer (Readmission)
Henry L. Meltzer
Michael A. Rubenstein
William P. Scott, III
William C. Speer

Professional Associate

John J. Boogaerts
Eugene Z. T. Djeu

Associate

Charles M. Aquavella (AIA)
Dr. Jay Richard Goldstein (AIA)
Robert D. Jefferson
Angelo Charles Marra
John J. Perez, Jr.
Barbara Jo Schnepf
Ruben Tempone

Candidates for Membership

Information received by the Secretary of the NYC/AIA regarding the qualifications of candidates for membership will be considered confidential:

Corporate

Frederick Aves Bland
Jan Degenshein
Jeremiah J. Driscoll
Gary Dennis Gaw
Ralston Wm. Newsam, II
George J. Puchmajer
Allan B. Strauss

Associate

Robert Jon Daniel
Penelope June Jastrey
Fritz Emmanuel Olivier (AIA)
Jamil Tariq Sheikh

Mayor's Panel

Applications for the Mayor's Panel of Architects for 1976 will be issued and received daily from 9:00 to 4:00 from October 1 through October 24. Applications are obtainable by the applicant in person or by his representative in Room 1400, Department of Public Works, Municipal Building, Centre and Chambers Street, New York, N.Y. 10007. They will be mailed on request provided that the request to the above address is accompanied by a stamped (10 cent) self-addressed 9½ inch envelope for each application requested. All applications with accompanying photographs, where required, must be mailed or delivered to the Department of Public Works, at the above address, not later than October 24, 1975.

Applications will be examined by an Architectural Jury consisting of the following: Robert Bassolino, Fred L. Liebmann and Laurie Maurer; alternates: Herbert B. Oppenheimer, and James J. Giacopelli.
GL

New York Chapter
The American Institute of Architects
20 West 40th Street
New York, New York 10018
212/730-1221

George S. Lewis, Executive Director
Executive Committee 1975/76
Robert F. Gatje, President
Richard G. Stein, 1st Vice President
Judith Edelman, Vice President
Peter Samton, Vice President
Manfred Riedel, Secretary
Anna M. Halpin, Treasurer
A. Corwin Frost, Director
Gillet Lefferts, Director
Michael Maas, Director
Nathan Jerry Maltz, Director
Donald P. Ryder, Director
Danforth W. Toan, Director
Oculus Committee
Norman F. Jacklin, Editor and Chairman
Albert Barash
Mary Jane Clark
Bonnell Irvine
Daniel V. Rodriguez
Ralph Steinglass

The Crisis In Our Profession and Our City

The fact that our profession is facing critical problems, particularly in a city in crisis has been the subject of several Executive Committee meetings and has led to the designation of a small ad hoc committee made up of Peter Samton, Jerry Maltz and Richard Stein, Chairman. The committee has begun an intensive investigation with the expectation that a new formulation will evolve that will be the basis for new undertakings, new professional orientation, new chapter activities and new methods of working with the various groups with ultimate objectives similar to ours.

At the introductory meeting of Committee Chairmen, the objective situation was outlined — the unemployment in the architectural field, the fiscal crisis of the City, the 30 million square feet of unused office space, the inability to produce equitable housing for any but the wealthiest people, the abandoned areas in the city, the gap in building performance between expectation and actuality, the inability to extend the infrastructure economically, the excessive energy use, the environmental problems. A request was made for a full examination of the crisis as it affects the various areas of committee responsibility, with reports back to the Executive Committee in three months.

The subject is so broad and its implications so important to the future of our profession and city that the committee wants the widest participation in defining the problem and proposing a course of action. Any members or non-members who have opinions or ideas to contribute are urged to send their thoughts to any of the ad hoc committee members as soon as possible. Future issues of the *Oculus* will carry bulletins on the progress of the investigation — new data, new participation, new goals.

Richard G. Stein

New Sales Tax On Interior Decorating And Designing

All architects doing interior decorating and designing in New York City must begin collecting a sales tax from their clients as of September 1. They should immediately apply for a Certificate of Authority to collect sales tax by completing and filing registration forms ST - 105 and ST - 105.1 (parts A & B), which may be obtained from the N.Y. State Sales Tax Bureau, Registration and Returns Processing Section, State Campus, Albany 12227, telephone (518) 457-2780. The first collections will be reported for the period 9/1 through 11/30 on a return which is due 12/20. This legislation was recently passed by the City Council and State Legislature as part of the so-called "Big Mac" package of new taxes to be collected by the State on behalf of the City.

A flyer issued by the State Tax Bureau is available at the chapter office, and we understand that an effort is being made by the Tax Bureau to mail it to all registered architects in this area. This *Oculus* article cannot explain the requirements in full — these are itemized in the flyer — but the following is quoted for your information.

The law as applied to architects:
"Interior decorating and designing services (whether or not in conjunction with the sale of tangible personal property), by whomsoever performed, including interior decorators and designers, architects or engineers, except to the extent otherwise taxable under article twenty-eight of this chapter; notwithstanding the foregoing, such services shall not include services which consist of the practice of architecture, as defined in section seven thousand three hundred and one of the Education Law or the practice of engineering, as defined in section seven thousand two hundred and one of the Education Law, if the services are performed by an architect or engineer having a license or permit under the Education Law."

• *Section 7301 of the Education Law:*
"The practice of the profession of architecture is defined as rendering or offering to render services which require the application of the art, science, and aesthetics of design and construction of buildings, groups of buildings, including their components and appurtenances and the spaces around them wherein the safeguarding of life, health, property, and public welfare is concerned. Such services include, but are not limited to consultation, evaluation, planning, the provision of preliminary studies, designs; construction documents, construction management, and the administration of construction contracts. (effective June 8, 1972)"

• *Examples of who must pay, quoted from the flyer issued by the tax bureau.*

1. "An interior decorator located in Nassau County develops a design plan for an apartment in New York City and forwards the plan to a customer in Florida. The service is subject to tax."
2. "An interior decorator arranges for placement of furnishings in an apartment in New York City. These services are subject to tax."
3. "An interior decorator purchases various items of tangible personal property which are resold to his client in New York City. The decorator's bill is based on cost plus a 25% fee. The entire bill is taxable at 8%. The decorator's fee is considered part of the selling price of the tangible personal property."

The Chapter vigorously opposed this legislation, but the whole MAC tax package was passed with no effective opposition from anyone.
GL

Notes

- The New York Society of Architects' 1975/76 Manual of NYC Building Laws, as well as other code publications, are available at the Society's office, 101 Park Avenue, Rm. 831 N.W.
- Compleat Women's Classified, Inc., 200 E. 42, is soliciting ads from architects. Such advertising is in violation of the AIA Standards of Ethical Practice.

Competitions Require Institute Authorization

A situation which occurred recently involving several Chapter members brought to light a general lack of awareness concerning the code governing architectural design competitions and its relation to the Standards of Ethical Practice. In addition to the Code for Architectural Design Competitions, all Chapter members should be aware of the fact that the AIA Board of Directors passed the following resolution in December, 1971, which covers "private limited design competitions."

"RESOLVED, That private limited competitions not be governed by the Code for Architectural Design Competitions; the Chairman of the Committee on Architectural Design Competitions shall have sole authority to approve such competitions provided:

1. There be adequate compensation for work performed by those invited in the manner and form required by the Chairman.
2. That all participating be given the same program, the same limits, the same presentation materials.
3. That a registered architect, not in the employ of the sponsor, be retained by the sponsor to advise concerning the competition and to monitor the competition to assure compliance with these conditions.
4. That upon completion, the monitoring architect certify to the Chairman of the Committee on Architectural Design Competitions that such conditions in fact were met.
5. Participation in private limited competitions not so approved or conducted will be considered in violation of the AIA Standards of Ethical Practice."

Errata In August/75 "Annual Review":

Page 17 — Commission on International Affairs should read Internal Affairs, which includes the following committees: Brunner Scholarship, Equal Opportunities, Exhibits, LeBrun Traveling Fellowship, Meetings, Membership, Oculus and James Stewardson Traveling Scholarship.

Page 19 — Women's Architectural should read Women's Architectural Auxiliary.

Maas and Petrilli Nominated for Key Posts in State Association

Michael Maas, NYC/AIA Director, has been nominated for the position of President-Elect of the NYSAA. Carl Petrilli, has been proposed for a vice-presidency. The election will take place October 9th, during the NYSAA convention at Grossinger's.

Michael Maas has chaired the NYSAA Political Affairs Committee since 1972 and has been a member of its Building Industry Coordinating Committee for five years. He is a member of the Board of Governors of the New York Building Congress and has just served as Chairman of the RPI Student Advisory Council. He is a Partner in the NYC firm of Haines Lundberg & Waehler.

Carl Petrilli is Chairman of the NYSAA Professional Services Committee. Mr. Petrilli's architectural firm, Carl J. Petrilli, Architect, P.C. is also located in NYC.
MJC

A/E Inspection Law Awaiting Approval

New York City's proposal to turn over to the City's architects and engineers the functions presently being performed by the Building Department's inspectorial staff during the construction of major projects and alterations was reviewed by the Chapter's Public Agencies Committee. Our comments were that inspections to be provided under the direct supervision of licensed professionals be permitted but the wording of the required certificates be revised so as to retain our services within the scope of our present Errors & Omissions insurance policies.

The proposed A/E inspection law is expected to be submitted to the City Council for approval during the first week in October. The Chapter has taken a favorable position on its adoption.

Martin D. Raab

Six Projects Cited In Education Facilities Awards Program

In June the Awards Jury for Educational Facilities Designs Developed within Existing Structures selected six firms to receive citations.

Citations were given to William A. Hall and Associates for the Fort Schulyer Library; David Paul Helpern Associates for the Fleming School; Mayer and Schiff for the Acorn School; Carl J. Petrilli and Dean J. Marilyn Mikulsky for the Graduate Center of the City University of New York; Paul Segal for the Brooklyn Friends School; and Vitto and Robinson for the Community Center for the Stuyvesant Heights Christian Church.

The Jury was composed of Alan C. Green, Executive V. P. of EFL; Ellen Perry Berkeley, Senior Editor of **Architecture Plus**; and Richard Stein of New York. Last year's chairman, Mel Leshowitz and Janko Rasic coordinated the awards program.

The Jury felt that in the face of declining enrollment and reduced school building programs, it was necessary to direct attention to the up-grading of existing schools, and convert other kinds of buildings to educational purposes. They were especially impressed with the fresh, innovative, and economical solutions for the reuse designed by the professionals involved.

The Awards Program, sponsored by the Educational Facilities Laboratories, was the first of its kind undertaken. It is the committee's hope that the recognition of innovative solutions, and the acknowledgement of coping with the uncertainties inherent in such projects, would advance the program.

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