

Besha Associates move back to the future in Dutch barns

By Maureen McGuinness
GUILDERLAND — Three Dutch barns from the 18th century have found a new resting place in town and will soon have new uses, after renovation by Besha Associates Engineers is complete sometime this winter.

The barns were disassembled and moved from their original locations, and are now being reconstructed on Route 20 across from 84 Lumber. The site will be the offices of the engineering firm.

One of the structures was already present at the site, one came from Stitts Road, and a third from Rotterdam. James Besha said he has a fourth barn, but is not sure where it will be used. One of the barns dates back to 1710, and the most recent one was built in 1820.

Besha explained that he has always had an interest in Dutch Barns, and has studied them since the 1960s. He said that his company wanted to have something different for its offices, so his interest in the structures

lead to the idea of restoring them.

"Few people can afford to preserve them as barns," he said, "If something isn't done they can be lost."

Besha said the barns are some of the oldest documented structures in the eastern United States. The quality of workmanship has helped them last so long. "These barns will be around for another 200 years," he said. "They're well built."

The barns were carefully disassembled during the summer and beams were restored.

Timber Frames, a company that specializes in restoring old wooden structures is doing the restoration work.

While the company hoped to move into its new offices in the summer, the restoration process took longer than they had planned. The company is now hoping to move in by February. Besha said the work will continue through the winter. However, the structures should be up by December, leaving only interior work to be completed.

While the outside of the structures will have a historic look to them, the insides will be modern. Besha said the beam and frame work will be exposed in the interior, but there will also be the usual office amenities. Besha laughed as he said, "Honestly, there won't be any hay in it."



The Enterprise — Jim Gardner

Three Dutch barns are being re-erected at the Besha Associates complex off Route 20 in Guilderland. Here Mark Witter (center) points to last minute adjustments as beam gable frame is readied for positioning. The gable will fit in place where worker is standing on ladder.



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Dave Bryant of Timber Frames hews out new beams with an adze to replace deteriorated ones in the original structure.



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Negligence damages reduced on appeal

By Bryce Butler

NEW SCOTLAND — The Appellate Division of State Supreme Court has ruled to reduce negligence damages New Scotland builder Peter Baltis must pay Joseph Cotazino of Robin Drive, Orchard Park. The original Supreme Court decision, rendered July 14, 1989, granted Cotazino \$20,000 for breach of contract and warranty and an additional \$17,000 negligence verdict.

Paul J. Yesawich Jr., writing for the five justices in the Appellate Division, found "ample evidence to support the jury's \$20,000 verdict for breach of contract and/or warranty." He wrote that the cost of repairing or replacing defective items came to \$24,435.

"The record does not, however, support a \$17,000 negligence verdict," Justice Yesawich wrote. He listed four examples of negligence - lawn repair from truck damage (\$296) and replacing topsoil (\$654); repairing the septic system, damaged by heavy equipment rolling over it when the ground was soft (\$349); and replacing carpeting damaged by workers repairing the kitchen and dining rooms (\$883). Cotazino had demanded \$6,050 to replace a fiberglass tub and shower stall. However, the appellate justices found "no evidence in the record that would justify a finding that the fiberglass tub and shower stall were damaged due to any asserted negligence on defendants' part." So negligence damages were reduced to \$2,182.96 — the sum of the four costs the court recognized.

An aspect of the decision that may have further repercussions was the appellate court's decision that Basil

Development, Peter Baltis's company, could be separated from Baltis himself. Tom Daley, Cotazino's attorney for the case, had argued that Basil and Baltis were one and the same entity. The Supreme Court accepted this argument, thus "piercing the corporate veil," as the legal phrase has it, which protects Baltis from personal liability.

The appellate division rejected this: "The evidence is simply insufficient to justify a finding that Baltis exercised 'complete control of the corporation... to commit a wrong,' which proximately caused plaintiffs' injury," Yesawich wrote. "Furthermore, there was no showing of fraud, illegality or wrongdoing sufficient to disregard the corporate entity. Accordingly, personal liability should not have been imposed upon Baltis."

This judgement may appear in the future because there are 17 more cases outstanding against Baltis, his wife, Donna, Basil Development, Roberts Real Estate and Hugh Roberts. All of these concern the water supplies to homes in Orchard Park. Cotazino, who broke away the structural defect aspect of his suit, has one of those cases. He said this week that his attorney is pursuing the same type of action in these suits that Cotazino took with the structural case.

"The decision of the Appellate Division had only to do with the litigation between Cotazino, and Baltis," Daley said this week. "That decision really has nothing to do with the other cases. The fact that there was a decision rendered in the court had to do with the evidence in that case. In the future, more

evidence might be adduced that would show that the corporate relationship is not as Baltis and Basil contend that it is."

Taylor will attend leaders' conference

VOORHEESVILLE — Kevin Taylor, a senior at Clayton A. Bouton High School, has been selected to attend the 1990 National Young Leaders' Conference from Dec. 11 to Dec. 16 in Washington D.C. Taylor will be among 350 high school students from across the nation at the conference for outstanding young leaders sponsored by the Congressional Youth Leadership Council.

The theme of the National Young Leaders' Conference is *The Leaders of Today Meeting the Leaders of Tomorrow*. Throughout the six-day conference, the scholars will meet with key leaders and newsmakers from the three branches of government, the media and the diplomatic corps.

Taylor will meet with Senator Alfonse M. D'Amato, Senator Daniel Patrick Moynihan, and Representative Michael R. McNulty. These meetings provide an opportunity to discuss important policy issues and focus on topics of state and local concern. Culminating the National Young Leaders' Conference will be *The Mock Congress on National Service* during which scholars assume the roles of United States representatives by debating, lobbying, and voting on proposed volunteer service legislation.

Taylor is the son of Alan C. and Linda Taylor of Voorheesville.