

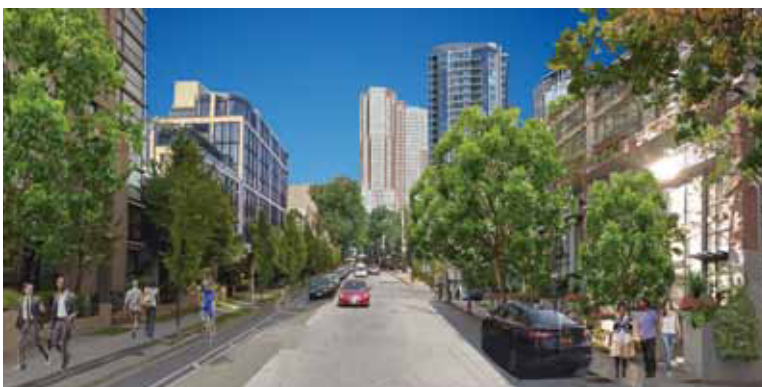
**Debunking the Myth:**

**Millennials are Escaping Costly NY for Hudson Valley Suburbs**

By John Jordan

WHITE PLAINS—The popular lore for some time among many real estate professionals and most media pundits is that Millennials are shunning the suburbs and instead are flocking to major cities in search of collaborative office space and rental housing in a “24-7 live-work environment.” A report appropriately entitled “Myth Buster: Young Americans Do Like The Suburbs” provides stark evidence that at least some of that premise is simply untrue.

While Millennials continue to flock to major urban cores, such as New York City, Boston, Cambridge, MA, Seattle, etc. locations in the Hudson Valley that are near mass transit and are developing a “24-7 live-work environment,” such as New Rochelle, White Plains and Yonkers, are also popular with that age demographic.



Cities and towns trying to liven up their downtown districts, such as New Rochelle above, are attracting highly-sought after Millennials. Credit: RXR Realty.

Area Realtors are servicing more and more Millennials who are looking for rental and for-sale housing in the region. Some members of that highly sought after age group are deciding to remain in Westchester, while others are conducting home searches here after being frustrated by the steep housing costs in Manhattan and trendy Brooklyn.

Darin Mellott, director of research & analysis for commercial real estate brokerage firm CBRE and author of the Myth Buster report went so far as to say, “The death of the suburbs is greatly exaggerated. Despite what we often hear,

Continued on page 22

**HGAR Cuts Ribbon on New Corporate Headquarters Office**

By John Jordan

WHITE PLAINS—The Hudson Gateway Association of Realtors, celebrating its 100th anniversary this year, opened its new offices in Downtown White Plains that the organization hopes will serve as its corporate headquarters for decades to come.

On Monday, July 18th, chief officials with the Hudson Gateway Association of Realtors, including HGAR President Marcene Hedayati, HGMLS President Renee Zurlo, HGAR Chief Executive Officer Richard Haggerty, staff, as well as a host of dignitaries, cut the ceremonial ribbon on HGAR’s new headquarters at One Maple Ave., also known as the Source at White Plains.

More than 200 Realtors, Affiliates and guests attended the event. White Plains Mayor Thomas Roach, U.S. Congresswoman Nita Lowey and George Oros, chief of staff for Westchester County Executive Robert Astorino, spoke of the organization’s long-history in the region and marveled at HGAR’s new space at the complex that borders Maple Avenue and Bloomingdale Road. Oros also gave HGAR Chief Executive Officer Richard Haggerty a proclama-



From left, Gary Connolly; MLS Director: Eric Kelly of William A. Kelly & Co. in Katonah; White Plains Mayor Thomas Roach; Ann Garti, HGAR COO; Richard Haggerty, HGAR CEO; U.S. Congresswoman Nita Lowey; Renee Zurlo, HGMLS President (BHG Rand Central Valley); Marcene Hedayati, HGAR President (William Raveis Legends, Tarrytown, Irvington); Julia Lindh, MKDA; George Oros, chief of staff for Westchester County Executive Robert Astorino; and Vicky Gonzalez, HGAR Controller.

tion that recognized July 18th as Hudson Gateway Association of Realtors’ Day in Westchester County.

Founded in 1916 as the Westchester

County Realty Board, the association now represents Realtors in Westchester, Putnam, Rockland and Orange counties. The Westchester County Board’s

first office was located at Depot Plaza in White Plains. Since 2008, HGAR’s headquarters was housed at the Westchester Pavilion mall at 60 South Broadway. Previously, HGAR had its headquarters operations across the street at 59 South Broadway.

The former Westchester Pavilion mall is under contract to be sold by Urstadt Biddle Properties of Greenwich, CT, to Maple and Broadway LLC, a wholly-owned subsidiary of Lennar Corporation. Lennar plans to raze the property and construct a \$227-million mixed-use development at that location. Current plans feature more than 700 residential rental units with retail and restaurant space covering more than 850,000 square feet. Demolition of the property is expected to begin soon.

“We are honored to share this exciting moment with our local dignitaries, as well as our Realtor members, affiliates, and staff,” said Haggerty. “We look

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**MTA Chairman Pledges \$29.5B Capital Plan Will Finally Bring System Into 21st Century**

By John Jordan

RYE BROOK—Metropolitan Transportation Authority Chairman and CEO Thomas Prendergast admitted that the New York City mass transit system had fallen behind in terms of repairing and upgrading its infrastructure as well as implementing the latest technology to ensure the safety of its passengers. However, with a \$29.5-billion five-year capital program now in place, the agency can now play catch up and finally enter the 21st Century.

Prendergast, who has spent his

entire 40-year career in the public transportation sector, spoke before members of the Business Council of Westchester at its headquarters at 800 Westchester Ave. in Rye Brook last month. Prendergast during his presentation entitled “Bringing the MTA Into the 21st Century” talked about the market forces, particularly population growth, demographics (the burgeoning Millennial group) and changing commutation patterns, that require the MTA and its commuter rail line in the Hudson Valley—Metro North—to



MTA Chairman Thomas Prendergast

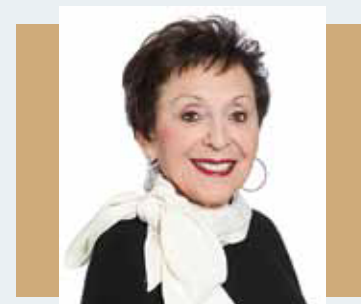
make capital investments to “renew enhance and expand” its services.

The final approved \$27-billion capital plan, along with another nearly \$3 billion in self-funded bridge and tunnel improvement and repair projects financed by MTA Bridges and Tunnels, will bring total MTA capital investment to nearly \$30 billion over the next five years.

Prendergast related the bumpy ride

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**INSIDE SPOTLIGHT ON**



Bonnie Koff see page 9

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# HGAR Cuts Ribbon on New Corporate Headquarters Offices

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forward to continuing to be a vital part of the Hudson Valley, and an advocate for home owners in our local communities.”

He noted that when he joined the Realtor organization (Westchester County Board of Realtors) in 1984, it boasted a membership of 1,400. As of July 2016, HGAR now represents more than 10,000 members in Westchester, Rockland, Orange and Putnam counties.

The new space will also serve as the headquarters for The Hudson Gateway Multiple Listing Service, owned and operated by HGAR, which offers some 24,000 properties in the Bronx, Westchester, Putnam, Dutchess, Rockland, Orange, Sullivan and Ulster counties. It is among the top 50 largest MLSs in the country.

The new location totals 15,614 square feet of space that houses the association offices and classrooms for the HGAR School of Real Estate. Architect MKDA LLC and building contractor William A. Kelly & Company designed and constructed the new office space, which offers a spacious lobby with four video screens, a row of newly installed windows and four skylights. The 250,000 square-foot complex is also home to The Cheesecake Factory, Whole Foods Market, Morton's Steakhouse, Destina-



From left, George Oros, chief of staff for Westchester County Executive Robert Astorino, White Plains Mayor Thomas Roach, U.S. Rep. Nita Lowey and HGAR Chief Executive Officer Richard Haggerty.

tion Maternity, Dick's Sporting Goods and Raymour & Flanigan.

Other amenities at the HGAR headquarters offices feature a new student lounge area with kitchen, LED lighting through the facility, a large boardroom, conference room, and smaller meeting room. The two large classrooms can be converted into one via a skyfold wall and can accommodate up to 150 peo-

ple. HGAR's new offices encompass about one-third of the available space on the top floor of One Maple Ave.

HGAR's Haggerty singled out the City of White Plains for expediting the approval of its plans at One Maple Ave., as well as Julia Lindh of MKDA and Eric Kelly of William A. Kelly & Co. for their fine work and dedication in working with HGAR staff to design and build-out the

space under a tight deadline. He also praised HGAR Controller Vicky Gonzalez and MLS Director Gary Connolly for their tireless efforts in overseeing the new headquarters project. He also offered high praise to Westchester Pavilion owner and landlord Willing Biddle, president and CEO of Urstadt Biddle Properties, for working with HGAR and funding the relocation of its operations from the Westchester Pavilion to its new location at One Maple Ave.

"We really think this (new headquarters space) represents the organization in such a positive light. We have had so much great feedback," Haggerty said. "We are very happy here and we hope that the members will enjoy the space, because really it is ultimately about you. Certainly as staff we are happy here, but we want you to be happy here. We want you to view this as a second home."

He continued, "We want you to come to classes here, come to meetings here, get involved. Use this space because ultimately this is not staff space, it is HGAR space."

The program ended when HGAR President Hedayati raised a glass of champagne and offered the toast: "To our new space and to 100 more years."

# MTA Chairman Pledges \$29.5B Capital Plan Will Finally Bring System Into 21st Century

Continued from page 1

the MTA system has been on since the early 1980s when subway derailments were almost a daily occurrence, graffiti was on every inch of every subway car and the nation's worst system provider at the time was Metro North's predecessor Conrail.

"The system was out of control," he recalled. Over the next 30 years, Prendergast said, "Metro North became best of class. Best of Class in the Western Hemisphere—the best service, the best customer service, the best performance—and we lost it. It is so difficult to achieve, easy to lose and it is hard to regain."

Metro North President Joseph J. Giulietti and his staff are now working to ensure the safety of the system is right and is also engaged in bringing performance back to the levels that made it Best of Class, he related.

He praised Gov. Andrew Cuomo and New York City Mayor Bill de Blasio for working with the MTA and for the state and city to agree to make significant financial commitments to the capital plan. New York State has committed \$8.3 billion, while New York City is expected to contribute approximately \$2.5 billion, to the MTA capital program for the \$1-trillion MTA transit system.

Prendergast noted that while there was some political wrangling between Gov. Cuomo, Mayor de Blasio and legislative leaders prior to the approval of the capital plan, he said that New York State "when it comes to funding, is one of the only systems that gets it right."

"It is a tough enough system to run, but if you don't have the money to run it, it is almost impossible," he added.

Prendergast said that recent capital programs were successful in keeping the MTA system in a state of good repair. The latest capital program will not only provide funding to make necessary repairs, but also will enhance and expand its services and introduce new technology to provide easier access to its services and key information for commuters.

Another key element to the capital plan, in response to the tragic train derailment at Spuyten Deveil in the

Bronx in December 2013 and the fatal rail crossing accident at Commerce Street in Valhalla in February 2015, is the implementation of the federally mandated Positive Train Control system. The safety technology will cost more than \$1 billion to implement by the end of 2018 to both Metro North and Long Island Railroad systems.

The capital program is critical because the population is expected grow significantly. Prendergast said that New York City's population is expected to grow by one million residents by 2035 and an additional one million residents will be added to MTA's suburban service region during that period. He noted that Metro North's annual ridership has grown 71% over the past 20 years, while system-wide ridership has increased more than 51%.

Other demographic or ridership changes have included significant increases in reverse peak commutation, intra-county commutation as well as ridership on nights and weekends. The MTA mass transit system is no longer a predominately 9-5 service, but has been transformed to 24-7-365, he related. At the moment, both Metro North and Long Island Railroad ridership are at record highs.

Prendergast added that while Millennials are flocking to the region's urban centers and are demanding state-of-the-art transit services, many aging Baby Boomers are retiring and opting to remain in the region and are utilizing mass transit in increasing numbers as well.

He highlighted some of the key elements of the MTA capital program, of which \$2.3 billion has been earmarked for Metro North Railroad. In terms of the Metro North-related projects, Prendergast noted that five stations will receive significant improvements—125th St. (Harlem), Riverdale, Crestwood, White Plains and Port Chester. He also stressed that new technology will be added to enhance customer service. Train stations will be improved to enhance connectivity in order to provide real-time information. MTA's e-Tix service where customers can purchase

tickets via their mobile devices is now available on the Hudson Line and was introduced the week of July 25th on the Harlem line, and the week of August 22nd on the New Haven line.

Another new element to the MTA capital program is the launch of the \$700-million Penn Access project that will open a new Metro-North Railroad link directly into Penn Station, providing connectivity for commuters on the New Haven Line into the growing West Side (West Side Yards) of Manhattan. The project will also provide critical system resiliency to protect service for more than 275,000 daily customers in the event of natural or other disasters. Prendergast cited the recent fire underneath the Park Avenue viaduct. He said the MTA "was exceptionally lucky" that the fire did not cause further damage that would have then resulted in a prolonged disruption of service.

Another facet of the capital plan involves what he described as "transformative change" to bring projects on-line

quickly and more efficiently. The MTA's theme "Get in, get done and get out" will embrace new ways to deliver projects, including Design-Build.

## Supports Gateway Tunnel Project

Prendergast said the proposed \$20-billion Amtrak Gateway Tunnel is critical to the region's mass transit service due to the projected increase in mass transit ridership in coming years.

He noted that the system requires the additional two tubes to be built under the Hudson River to replace two existing tunnels damaged by Hurricane Sandy.

"Right now you've got three railroads sharing 21 tracks and all of the railroads are experiencing increases in ridership," Prendergast said. "So the Gateway project not only provides two additional tunnels under the Hudson River, but additional capacity at Penn Station itself, which is important."



From left, HGAR Chief Executive Officer Richard Haggerty, MTA Chairman and CEO Thomas Prendergast and Business Council of Westchester Executive Vice President and COO John Ravitz.



## Guest Viewpoint

# Don't Let Rockland Become the County of 'No'

By Richard Struck

I want to share the perspective of someone who has practiced professional economic development in Rockland for over 30 years, including in my current role at Rockland Economic Development Corp.

Businesses employing Rockland residents today have been brought here by the combined efforts of the REDC, the Rockland IDA, New York State, and Orange and Rockland Utilities—all in partnership with Rockland municipalities.

Bloomberg LP, Hunter Douglas, United Structural Works, Par Pharmaceutical, Aerco, Raymour & Flanigan, Protein Sciences and others. So far, during 2016, our efforts have resulted in a projected 400 new jobs from such firms as Golden Krust Bakery, Warby Parker, Pearl River Pastry and more. It is so easy to forget the focused efforts made to bring these companies here, companies that serve everyday to give us our income, to pay our bills and to sustain our quality of life in Rockland County.

Let's not stop progress by just saying

"No" to projects where Rockland residents, their children and grandchildren can find jobs here, thrive here, raise their families here, and yes, even retire here to stay close to family and friends. We need these jobs to sustain our communities and we need these business taxpayers to keep Rockland from becoming a less and less affordable place to live.

*Editor's Note: This article first appeared in the Journal News.*

*Richard Struck is the president & CEO of the Rockland Economic Development Corp. of Pearl River.*

## NYC Investment Group Acquires Mid Hudson Center in Poughkeepsie

POUGHKEEPSIE—A major shopping center on Route 9 here has changed hands.

Jeffrey Dunne, David Gavin and Travis Langer of CBRE's National Retail Partners represented the seller in the sale of the Mid Hudson Center in Poughkeepsie for \$27.5 million. The team was also responsible for procuring the buyer, TFS Investment Group, directed by Avrohom Schlaff out of New York City, who acquired the property as part of a 1031 exchange.

Mid Hudson Center is a 235,599 square-foot power center situated on the heavily traveled Route 9 in Poughkeepsie. The center is anchored by long-term leases with Home Depot and Stop & Shop (subleasing to Ocean State Job Lot), providing stable in-place income. In addition, there are several highly visible outparcels fronting on Route 9 including Applebee's, McDonald's, ExxonMobil and Rhinebeck Bank. Significant upside exists through re-leasing the current 23,942 square-foot vacancy as well as additional development potential on the adjacent 2.4 acre parcel, which includes a purchase option, CBRE noted.

Dunne said of the deal, "Mid Hudson Center will provide the buyer with a strong in-place yield with the ability to add value through lease-up and additional development at the property. Combined with its easily accessible location on Route 9 directly across from Marist College, Mid Hudson Center was an ideal property to satisfy the buyer's 1031 exchange."

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**Rockland must not become known as the county of "No." This can be very destructive to our economic future and send an unproductive, negative signal to businesses and investors considering Rockland as a location in this very competitive New York metro marketplace.**

**—Richard Struck, President & CEO, Rockland Economic Development Corp.**



We all understand that Rockland can be an expensive place to live. While not a panacea for all financial concerns, there is a means available to mitigate at least some of these costs: attract more business taxpayers to the county to help relieve current tax burdens we all bear. New or expanding businesses create new jobs for our residents—yes, the sons and daughters of Rockland residents who are seeking to build rewarding careers close to home. Unfortunately, we have seen several recent examples of emotion overtaking reason, as personified in the examples reported in a recent article about proposals stuck in the approvals process.

Rockland must not become known as the county of "No." This can be very destructive to our economic future and send an unproductive, negative signal to businesses and investors considering Rockland as a location in this very competitive New York metro marketplace.

Business growth and economic development need to be viewed as a positive thing, not something to be feared or protested. Why? Because our future depends upon it! That is not to blindly say that every project ever proposed is a good one. It is to say that each project needs to be evaluated on its own merit. There are mechanisms and procedures in place to do that in every town and village in Rockland. I am not an attorney, but I surely know that our country is a nation governed by laws, not by individual opinions. This concept extends to municipal zoning and planning regulations. To the credit of most of our towns and villages, zoning and building codes have been established after many painstaking years of effort by officials elected by our citizens to do this, often with significant public input. Virtually every municipality has zones for business ranging from retail to manufacturing, since their officials recognize the need to have areas for business tax ratables to provide a balanced operating environment for their communities. Bringing new business investment to the zones designated for this purpose is a partnership between communities, businesses and economic developers.

REDC and our economic development colleagues in this work strive to find the right match between businesses and communities, always seeking to bring new investment to the zones that were created for that purpose. I think it is worth noting that many of the busi-

nesses employing Rockland residents today have been brought here by the combined efforts of the REDC, the Rockland IDA, New York State, and Orange and Rockland Utilities—all in partnership with Rockland municipalities. For example, during the late 1980s and 1990s, REDC and its partners attracted more than 4,400 new jobs to the county, including Verizon Wireless, Nice Pak, Star Kay White, Clarins, Intercos, Aluf Plastics and more. From 2000 through 2009, more than 4,300 new jobs were created by the partnerships between economic development efforts and local communities, including attractions or expansions of Euromed, Zagwear, Avon, Nice Pak, Portables Unlimited, ADH Health and others. From 2010 through 2015, 2,042 new jobs have been created, including

# DISAPPOINTED?

**M**ost Westchester Boards of Assessment Review will issue their decisions on or around September 15. If you or anyone you know are disappointed with either a denial or insufficient reduction, you should know that there's a second opportunity to seek a reduction; via the Small Claims Assessment Review (SCAR) process. Please call for information.

**2014 HGAR AFFILIATE OF THE YEAR**



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## PRESIDENT'S CORNER

By Marcene Hedayati, HGAR President



## Visible Benefits

In speaking with many of our members over the years, I have always been perturbed by the fact that many of us forget or are unaware that HGAR offers more tools to its members than simply our Multiple Listing Service.

Don't misunderstand me, our MLS is vital and often central to our ability as real estate agents to fulfill our role in a transaction. However, there are many more benefits to HGAR than we give it credit for. These tools help improve the level of service we offer to the public and, in turn, allow our members to thrive and be successful. For this reason, my objective for 2016 was to develop a strategy that would make these benefits more visible to our members and easy to access.

The Member Experience Committee was charged with the task of developing ways in which to improve and enrich the relationship between our members and the association. This involved exploring ways in which our members could be made more aware of all the tools without impacting the ease with which we access the MLS. With the launch of our new website, we were able to enhance the front facing portion, in particular the public's experience and I believe, we, skillfully, accomplished that. However, our main focus has always been our

members. This month we will be launching the new version of the back-end segment of the HGAR website, that part that impacts our members directly.

Going forward, when you log in as a member, you will be brought to your own individual page. From this one page, you can log in to MLS, register for a class or upcoming event, see what's in the News, follow our Facebook and Twitter activity, make a donation to RPAC and much more. The ease with which a member can personalize the new member portal is quite impressive. If your picture and contact information is in the system, you can customize the page any way you would like. Your page will even track your real estate license's expiration date.

I am confident that this new member portal will improve the interaction between our members and the association. It will promote and encourage a symbiotic relationship that will be advantageous for all of us and, perhaps, even prompt more of us to get involved with the association in a more meaningful way.

I must thank all those on the Member Experience Committee and HGAR staff for working so diligently on taking our website, both on the back-end and on the front-end, to the next level.

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## GATEWAY PERSPECTIVES

By Richard Haggerty, HGAR CEO



## A Legacy to Remember

First, a disclaimer, I am blatantly biased as I write this month's article. I have been a huge fan of HGAR's Legal Counsel Edward I. Sumer for more than three decades. In my opinion Ed has been one of the most effective and knowledgeable association legal counsels in the country, and he has earned the respect of his fellow professionals who have benefited from his advice and guidance. So it is with very mixed feelings that I announce Ed's retirement as he relocates permanently to Florida at the end of this month.

Ed's first interaction with organized real estate occurred in 1974 when he became legal counsel to a group of individuals who formed the Putnam County Multiple Listing Corporation. In 1975 he was retained by the Westchester County Board of Realtors after the Board received an inquiry from the Justice Department related to price-fixing concerns. He became counsel to the newly formed Westchester Multiple Listing Service in 1976, which was created as a subsidiary of the Westchester Board, and in 1979 he became counsel to both the WCBR and WMLS. Ed has also served as legal counsel to the Rockland County Board of Realtors as well as the Manhattan Association of Realtors.

During his tenure Ed helped facilitate numerous mergers, including the merger of the Putnam County Multiple Listing Service with the Westchester Multiple Listing Service in 1996, and the Putnam County Association of Realtors with the Westchester County Board of Realtors in 2009. In 2011 he was a key player in the merger of the Westchester Putnam Association, the Rockland County Board, and the Orange County Association of Realtors, which culminated in 2012 with the creation of the Hudson Gateway Association of Realtors. This merger was followed by the merger of the Greater Hudson Valley Multiple Listing Service and the Empire Access Multiple Listing Service to the Hudson Gateway Multiple Listing Service.

While many Realtors know Ed either from meeting him or hearing him speak at Association events over the years, others have come to rely on the keen legal analysis he provided since 1990 in our monthly *Westchester Realtor* and *Real Estate In-Depth* publications.

I have known Ed Sumer since 1984 when I was hired by WCBR as the Professional Standards Administrator, and I learned quickly to rely on Ed's common sense approach and his devotion to the Realtor family. I also learned firsthand his zealous work ethic and tenacity, and this truly came to the forefront last year, just after he announced he was selling his legal practice to his former associate, John Dolgetta. HGAR had finally located a building to relocate our headquarters after a long search, and we were reaching what we thought was the conclusion of the lease negotiations that had dragged on for some time.

I had scheduled a joint Board of Directors meeting to approve the terms of the lease when I was diagnosed with a detached retina, which required immediate surgery and a 10-day period of lying on my stomach with my face down. Ed Sumer led the Board meeting, which resulted in the Directors approving the terms of the lease, and I ended up signing the lease a couple of days after the surgery with John Dolgetta and Ann Garti personally driving the documents to my apartment in Manhattan, only to have the entire transaction almost fall apart. If not for Ed's fierce determination and perseverance, I doubt we would have concluded the transaction, which we did a couple of days later with a fully executed lease for our headquarters at One Maple Ave. in White Plains.

Edward I. Sumer has created a tremendous legacy with the Realtor family in the lower Hudson Valley, and I'm sure all of the members of HGAR join me in wishing him all the best in his retirement.



**Longtime Board Counsel Edward Sumer has announced his retirement.**

## REAL ESTATE IN-DEPTH

August 2016 Published August 18, 2016

Publisher: Hudson Gateway Association of Realtors, Inc.

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REAL ESTATE IN-DEPTH, published monthly, is the official publication of the Hudson Gateway Association of Realtors, Inc., One Maple Ave., White Plains, New York 10605. Opinions contained in the articles herein do not necessarily reflect the opinions of the Association. The editors of REAL ESTATE IN-DEPTH reserve the right to accept or reject all advertising copy. REAL ESTATE IN-DEPTH (ISSN 0043-339X) or (USPS 677-500) is published 12 times a year for \$12 per year, included in member dues, and \$24 for non-members, by The Hudson Gateway Association of Realtors, Inc., One Maple Ave., White Plains, N.Y. 10605. Periodical Postage is paid at White Plains, N.Y. REAL ESTATE IN-DEPTH cannot be responsible for unsolicited manuscripts, nor undertake to return manuscripts or pictures. POSTMASTER: Send address changes to REAL ESTATE IN-DEPTH, One Maple Ave., White Plains, New York 10605.

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# Brokers Beware: The Doctrine of 'Caveat Emptor' Revisited

In New York State the doctrine of "caveat emptor" governs the rights of parties in a real estate transaction. In a nutshell, this doctrine basically means that a buyer must conduct all due diligence and inspections when it comes to the condition of a home or parcel of real property prior to entering into a contract or, at the very least, include inspection contingencies in a contract that allows for a purchaser to cancel the contract in the event issues come up in an inspection.

If a buyer fails or simply refuses to conduct inspections, then the law states that he or she will be required to take title to the premises subject to any such issues which could have or should have been discovered during an inspection of the premises. While the doctrine of "buyer beware" is normally associated with the purchaser's and seller's rights, this article focuses on some of the recent cases that highlight the responsibilities of real estate agents and their duties with respect to the application of this doctrine. Brokers and agents must be aware of their duties when it comes to listing properties and the information they will be required to provide relating to such properties.

## Ader v. Guzman: 'Caveat Emptor' Protecting the Brokers and Agents

In *Ader v. Guzman* (2016 N.Y. App Div. LEXIS 139; 2016 Slip Op 00136, decided on January 13, 2016), the plaintiff, a tenant ("Plaintiff Tenant") brought a lawsuit against the landlord ("Defendant") and the landlord's broker and real estate agent ("Broker Defendants"). The Plaintiff alleged that the Broker Defendants negligently listed the premises for residential rental when the premises lacked a valid rental permit.

The Plaintiff Tenant alleged that the Broker Defendants failed to deal with the Plaintiff Tenant "...honestly, fairly and in good faith and to disclose all facts known to them that materially affected the value and desirability of the premises..." in violation of RPL Section 443(4)(b). The Plaintiff also alleged that the Broker Defendants were acting as the Plaintiff's agent and, therefore, they alleged that the Broker Defendants breached the fiduciary duties owed to the Plaintiff Tenant. The Trial Court dismissed the lawsuit against both the Defendant and the Broker Defendants and the Plaintiff Tenant appealed.

The Appellate Division upheld the Trial Court's decision and held that the common law doctrine of "Caveat Emptor" applied in this case. The court explained that the doctrine of Caveat Emptor "...imposes no liability on the seller or seller's agent to disclose any information concerning the premises when the parties deal at arm's length,

unless there is some conduct on the part of the seller or seller's agent that constitutes active concealment." There was no evidence that any of the defendants in this case actively concealed the fact that there was no rental certificate issued for the property. The court reasoned that it was well within the ability of the Plaintiff Tenant to determine whether or not there was a rental certificate on file with the municipality.

Regarding the Plaintiff Tenant's allegation that the Broker Defendants were also acting as agents for the Plaintiff Tenant, the court held that there was no evidence that the Broker Defendants were also acting as the agents of the Plaintiff Tenant. The court pointed out, in fact, that the Section 443 Disclosure signed by the Plaintiff Tenant supported the position that the Broker Defendants represented only the Defendant. The Plaintiff Tenant acknowledged therein that the Broker Defendants represented the Defendant in this instance.

In *Ader*, the court's decision establishes that the doctrine of "caveat emptor" is still very much alive and that both a seller/landlord and seller's/landlord's agent are afforded the protections of the "Buyer Beware" doctrine. The court was clear to point out that unless a seller, landlord or their real estate agents engage in active concealment or fraudulent misrepresentation, the law will require a buyer or tenant to engage in the appropriate and reasonable due diligence before entering into a lease or purchasing real property.

## In Light of the Ader Case, Do Agents Still Have to Investigate a Property?

While the *Ader* case seems to establish that an agent or broker does not have to make any independent investigation of a property before he or she lists the property for sale or lease, there are several cases that seem to come to the exact opposite conclusion. Many courts have determined that brokers and licensees do have an obligation to investigate the legal status of the properties being marketed by them and must avoid engaging in publishing misleading or false advertising or the placing of inaccurate listings. Some courts in these cases have come to different conclusions, reasoning that brokers and agents are required to act competently, pointing out that the public relies on listings to be accurate.

One such recent similar case that is distinguishable from the *Ader* litigation is *McDermott v. Related Assets, LLC* (45 Misc.3d 1205(A), 998 N.Y.S.2d 306, 2014 WL 4977412 [Civ Ct, Richmond County 2014]), where an action was commenced seeking damages for an agent's failure to exercise proper due diligence as a licensee. The allegations against the agent concerned an incorrect listing that marketed the property as being connected to a public sewer line. In that case, the court specifically rejected the position that an agent was not liable for ostensibly

failing to have a working knowledge of the property being marketed. In finding against the broker, the court held that:

*"[R]eal estate brokers insist that they are professionals, and as professionals they are to be held to a higher standard than an unsophisticated, untrained buyer and seller. This court has previously held that along with receiving a license, brokers and salespersons are charged with knowledge and responsibility to check the public records to confirm any information the broker is conveying to the potential purchasers. [Acquino v. Ballester, 37 Misc.3d 705 (2012); Olukotun v. Reiff, NYLJ 8/1/8/04, p. 19, col.1]. Counsel for defendant has cited several cases holding that New York follows the rule of 'caveat emptor' that is 'let the buyer beware.' Defendant argues that, as a result, the claimant should be charged with knowledge of any facts which the claimant could have obtained using reasonable means of inquiry and defendant has no liability."*

This legal theory does not apply to the facts of the *Ader* case. In *Ader*, the Plaintiff Tenant was not suing the seller for making a misrepresentation as to the existence of city sewers, but rather, the Plaintiff was suing the listing broker for failing to use due diligence prior to listing a property.

The court explained that information regarding rental permits is easily accessible and is public record. If the Broker Defendant had acted as a "professional" and checked out the public records, the listing would have been corrected and Plaintiff Tenant would not have even looked at the house (according to his testimony). The actions of the Broker Defendant set in motion the dissemination of improper information and as such, the Broker Defendant must bear the bulk of the responsibility, even if the court is skeptical that the Plaintiff Tenant did not know the true condition prior to closing.

## 'Auctus Autem Venditor Caveat? Let the Agent of Seller Beware?

The *McDermott* decision, cited previously, therefore, supports the conclusion that an alternative theory underlying a similar cause of action (e.g., negligence in exercising due diligence) can exist where an agent is responsible for publishing inaccurate information regarding a property being marketed.

It should also be noted that the Appellate Division, First Department, has opined on what an agent should know regarding a property being marketed, and has expressly held that "[a] real estate broker should have a working knowledge of the legal status of the property he is marketing" in accordance with the decision in *23 Realty Associates v. Teigman*, (213 A.D.2d 306, 308 [1st Dept 1995]). In *Teigman*, a broker erroneously "advertised leasehold space in...[a] building as rent-stabilized apart-

ments in a converted hotel, when in fact the hotel designation had never been changed." Relying in part on the New York City Consumer Protection Law, the Appellate Division, giving deference to the New York City Department of Consumer Affairs, held that "...offering of rental housing is a legitimate area of interest for consumer protection against deceptive advertising and misrepresentation, and we agree." *Id.* at 308."

The case of *Acquino v. Ballester* (37 Misc.3d 705 (2012); 2012 N.Y. Slip Op 22267) a case cited by the *McDermott* Court in its reasoning, further deals with an agent's duty to be familiar with the legal status of the property being marketed. The *Acquino* decision stands for the proposition that there are damages that may be recoverable from a real estate broker who is held to a higher standard of conduct from a mere member of the public. The standard applied in *Acquino* places upon the broker an affirmative obligation to investigate and inform a prospective tenant regarding the legality or illegality of the property.

In *Acquino*, the Defendant, Gilbert Ballester, owned a two-family house located in Staten Island. It was evidenced at trial that he had created illegal apartments in the basement and attic of the building. In June 2011, Mary Beth Acquino rented the basement apartment, provided a security deposit and paid rent for one year. The tenant found the apartment through a broker, Virtual Real Estate, an entity with an office in Brooklyn and paid to the real estate broker, a fee equal to one month's rent for locating the apartment.

In June 2012, Acquino was notified by the Marshal of the City of New York and Brooklyn Union Gas Company that the apartment was illegal and that they had come to remove the first floor apartment gas meter. The Plaintiff was forced to move and expended \$4,400.00 in relocating to a new apartment on short notice. Plaintiff Acquino then commenced a lawsuit in the Civil Court in Staten Island seeking to recover from Gilbert Ballester the entire year's rent that she had paid as well as her moving costs of \$4,400.00 and her security deposit of \$1,200.00. The court found in favor of the Plaintiff and ordered that the Defendant return the security deposit and reimburse the moving expenses. The court also found that under the Multiple Dwelling Law, even though a landlord cannot collect rent on an illegal apartment (as a tenancy could not legally exist), if a resident voluntarily pays rent or an installment of rent when he would be privileged to withhold the same, he shall not thereafter have any claim or cause of action to recover back the rent or installment of rent so paid. The court further stated:

*"[A]lthough the plaintiff cannot recover the rent she paid to the defendant from the defendant, she can commence an action against the real*

Continued on page 7

## LEGAL CORNER

By John Dolgetta, Esq.  
HGAR Legal Counsel



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## MacQuesten Companies Buy Mount Vernon West Train Station

MOUNT VERNON—In a deal the development firm says reaffirms and expands its investment in the economic revival of the City of Mount Vernon, the MacQuesten Companies reported recently it purchased the Mount Vernon West station on Metro-North's Harlem Line.

While the station's platforms are owned by Metro-North, the station building has been privately owned since it was sold in 1959 by the original owner, the New York Central Railroad. MacQuesten bought the property from Davenis Realty Inc. for \$3 million. The closing was July 14.

MacQuesten is nearing completion on The Modern, an 11-story, 81-unit affordable housing complex located at 130 Mount Vernon Avenue—just a block from the Mount Vernon West station. In 2015, MacQuesten purchased a former gas station site next to the train station where it expects to build a residential tower. The city is currently considering a zone change from industrial to residential for that area, company officials noted.

Mount Vernon West is the closest sta-

tion in Westchester County to Grand Central Terminal, a 22-minute ride and just 13.1 miles. The station has a number of commercial tenants including a Chase Bank and several small businesses.

The City of Mount Vernon is eager to transform the area from industrial uses to residential and retail development. A reimagined Metro-North station will serve as the focal point for a renaissance of a large surrounding area, the company states in the press announcement of the station purchase.

"This is an underutilized property that cries out for revitalization," said Rella Fogliano, president of the MacQuesten Companies. "The key to revitalizing and reimagining our urban areas is capitalizing on the mass transit opportunities that are already in place. I can't think of a more strategically well-placed station than Mount Vernon West."

She pointed out that when it opened, Mount Vernon West was considered a gem among the suburban stations north of Grand Central. It was designed by architects Warren & Wetmore, who also designed the now demolished White Plains station and the Yonkers station on the Hudson Line that has been fully renovated by Metro-North.

"Over the years, the area around Mount Vernon West became industrialized, and as time went on, the station suffered from a combination of factors, including insufficient maintenance and decreased ridership,"



The Mount Vernon West train station

Fogliano explained. "But with today's emphasis on mass transit-oriented development, we see a bright future for this location. Reimagining Mount Vernon West is part of a comprehensive approach to the revival of this area, and we are proud to be leading the way."

Joseph Apicella, MacQuesten's managing director of development, said the company will be exploring a range of options for the station from renovation to demolition, adding that thorough environmental and historical reviews will be conducted.

"This is an exciting time for Westchester's cities, and Mount Vernon is very much a part of the revitalization and renewal trend that has been rapidly accelerating for the last several years," Apicella said. "Having two train lines providing quick access in and out of Manhattan gives it a huge advantage."

## TODs Main Focus of Brokers Tour of Downtown Yonkers Properties

YONKERS—Transit Oriented Development was the focus of an exclusive brokers tour of residential projects under construction near Metro-North train stations in Downtown Yonkers last month. More than 30 commercial and residential brokers were on hand for the tour conducted by the city's Department of Planning & Development.

Projects on the tour included River Tides at Greystone, Hudson Park Club and UNO Micro Unit Apartments.

River Tides at Greystone is a 330-unit, 10-story luxury rental complex overlooking the Hudson River. The project, which is being developed by Ginsburg Development Companies, will have a direct walkway to the Greystone Metro-North station.

Hudson Park Club is the latest addition to Hudson Park luxury rental complex. The 230,000-square-foot building features 213 studio and one- and two-bedroom apartments. Located just blocks from the Yonkers Metro North train station, Hudson Park Club is being developed by Collins Enterprises.

UNO Micro Unit Apartments is a \$15-million development project transforming Building 2 at iPark into 100 micro-unit apartments. Developed by National Resources, the project is a short walk to the Yonkers Metro-North train station.

Executives from Ginsburg Development, Collins Enterprises and National Resources made presentations at each of the projects on the tour.

Following the tour, Yonkers Mayor Mike Spano welcomed the brokers at a cocktail reception held at the Boyce Thompson Center, an 85,000-square-foot, mixed-use center featuring Class A office/medical space, retail stores, banking and restaurants. The center, which is being developed by Simone Development Companies, is a creative restoration of the historic Boyce Thompson Institute.

"Transit Oriented Development is a fast-growing trend in urban planning that is creating vibrant, livable and sustainable communities. Yonkers is on the cutting edge of this exciting new trend. We are very pleased to have shared with the brokerage community these important transit oriented developments that are bringing new energy to downtown Yonkers," said Mayor Spano.

This is the second consecutive year that the City of Yonkers has conducted broker tours of real estate developments in the city. Last year, commercial brokers toured office and loft space in the former Otis Elevator complex and the Alexander Smith Carpet Mills Historic District.



Attending the reception at the Boyce Thompson Center were, from left, Joseph Cotter, president, National Resources; Yonkers Mayor Mike Spano; Guy Leibler, president, Simone Healthcare Development, and Yonkers Commissioner of Planning and Development Wilson Kimball.

## Westchester Residential Broker Sells Maya Angelou's Home for Record Price

NEW YORK—The late poet and author Maya Angelou's former brownstone townhouse in Harlem was sold by Westchester brokerage firm Link NY Realty for a reported purchase price of approximately \$4 million.

Listing Broker Valon Nikci, CEO of Bronxville-based Link NY, said, "The home is a record breaker, being the most expensive single-family home per square foot sold in Harlem. Fortunately, the brownstone still possesses her influence with customization of her own."

The four-story house at 58 West 120th

St. sold for about \$4 million or approximately \$727-a-square-foot, according to the Real Deal. Other reports put the purchase price near \$4.1 million.

Angelou, who passed away in 2014 at the age of 86, acquired the property in 2002 and undertook extensive renovations before taking occupancy two years later. The 20-foot wide townhouse features five bedrooms, five full bathrooms, three half-bathrooms and an elevator. Angelou also maintained a home in North Carolina.

The property was originally listed at \$5.095 million.

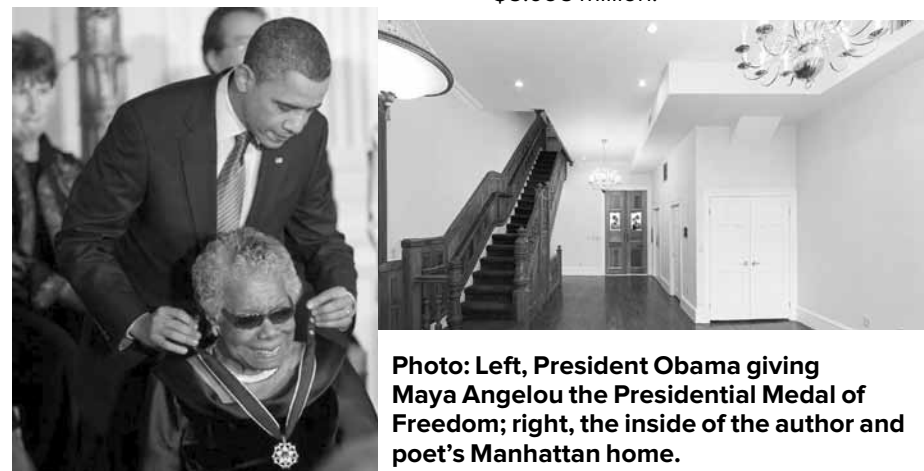


Photo: Left, President Obama giving Maya Angelou the Presidential Medal of Freedom; right, the inside of the author and poet's Manhattan home.



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# Brokers Beware: The Doctrine of 'Caveat Emptor' Revisited

Continued from page 5

estate broker who placed her in the apartment. Plaintiff was assisted in locating this apartment by a real estate broker, Virtual Real Estate, 693 5th Avenue, Brooklyn, NY. As a broker he is a 'licensed professional' charged with having greater knowledge of the real estate industry than the general public and has a professional obligation to check these governmental websites to insure that the representations of the landlord or seller are accurate and the premises are legal and can be used for the purpose their client is seeking their advice and assistance."

The court surprisingly, even though the broker was not a party to the lawsuit, offered of its own volition that a cause of action could exist against the broker.

## McDermott Versus Ader: Where Does That Leave Brokers And Agents Vis-a-Vis the DOS?

Recently, at a legal conference held in Albany, sponsored by the New York State Association of Realtors Attorney David Mossberg, Esq., a senior attorney of the New York State Department of State (the "DOS"), addressed the issues arising in the Ader case and pointed out the distinctions from the McDermott case.

It is important to note that with regard to disciplinary inquiries, the DOS indicates that it will rely on the decisions in Teigman and McDermott, but that each will be analyzed on a case-by-case basis. Mossberg stated that the DOS "...does not believe that a licensee can avoid responsibility for placing a misleading advertisement by reason of an unknown status. Accordingly, notwithstanding the decision in Guzman, a broker who fails to demonstrate a working knowledge of the property being marketed, fails to demonstrate the level of competency required to transact business as a licensee in violation of NY RPL §§ 441 and 441-c."

## Where Do We Go From Here?

We can discern from the analysis above that there is clearly a "split" in the case law with regard to the doctrine of "caveat emptor" and a licensee's liability. If in the Ader case the doctrine of

caveat emptor is still quite alive and well because the plaintiff could have easily ascertained whether a rental permit was issued by the municipality, should it not follow logically that in the McDermott case a Plaintiff could ascertain from the municipality whether the property was connected to the public sewer? Is that not a condition that a proper inspection by a renter or buyer or his or her inspector would reveal? One thing that is clear is that brokers and agents must take caution and be very careful when listing a property.

It is very important for agents and brokers to make certain that they do not misrepresent the property that is being listed for lease or sale and its legal status, whether intentionally or negligently, even as a simple oversight. Brokers and agents must be cognizant that, as professionals in their field and as Realtors upon whom the public relies for accurate information in furtherance of their decision making process, they have an affirmative duty to ascertain the veracity of a seller or landlord's representation as to the condition and legal status of the subject property.

A real estate licensee, who does not verify the legal status of an apartment offered for rent to a prospective tenant, or to a prospective purchaser of any form of real property, does so at his or her risk. Liability, as indicated in the aforementioned cases, is quite real, both in terms of monetary damages in a civil lawsuit as well as putting one's license in jeopardy, and in an increasingly competitive marketplace, potentially damaging one's professional reputation.

**Note:** The foregoing article is for informational purposes only and does not confer an attorney-client relationship.

*Legal Column author John Dolgetta, Esq. is the principal of the law firm of Dolgetta Law, PLLC which recently acquired the law practice of Board Counsel, Edward I. Sumer. Sebastian D'Acunto, Esq. assisted in the preparation of this article and is a Senior Associate at Dolgetta Law, PLLC. For information about Dolgetta Law, PLLC, John Dolgetta, Esq. and Sebastian D'Acunto, Esq., please visit <http://www.dolgettalaw.com>.*

# Chicken Island Brewing On Tap For Yonkers Waterfront Property

YONKERS—J. Philip Commercial Group Brokerage of Westchester County announced earlier this month the completed sale of 72 Alexander St. in the City of Yonkers for \$1.25 million. The Fondak Family, new owners of the property, plan to convert the more than 10,000-square-foot industrial warehouse facility into a beer distribution center and taphouse tasting room. With plans for a future event space and restaurant, the new establishment will be named Chicken Island Brewing.

"The waterfront in Yonkers is booming right now," said Jennifer Maher, selling broker for J.Philip Commercial Group. "Thanks to strategic marketing campaigns supported by Mayor Mike Spano, both businesses and residents, particularly the coveted Millennial generation, are taking a second look at the city to live, work and play. The timing and opportunity for Chicken Island Brewing to establish itself in Yonkers couldn't be better."

Co-owner and Brewmaster, Andy Fondak said "The Yonkers location is the perfect storm for us. Craft breweries have always thrived in areas ripe for revitalization. They bring communities together, and our brewery is no different."

With the local government focusing on revitalizing the downtown waterfront area, Fondak believes his brewery will make a positive contribution to those efforts. "The specific building we are planning to renovate is in a great location with outdoor seating potential next to the Metro North Hudson line and views of the Palisades and Hudson River across the street... The location is easy to get to. Only a five-minute walk from the Metro North Yonkers station or a quick drive from the Northern Bronx, will put you right in front of our doors. All of these factors made the choice very apparent.



Kevin Kearns

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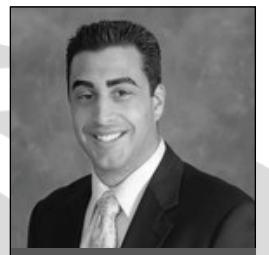
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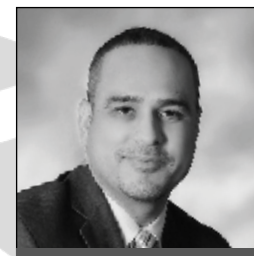
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Raymond E. Inello

Joe Houlihan, managing partner at **Houlihan & O'Malley** of Bronxville, has announced that licensed real estate professionals **Raymond E. Inello** and **Janet Hargadon** of Eastchester recently joined the firm.

Inello's background includes 13 years as CEO of Rising Dough Enterprises, LLC, operating eight Dunkin' Donuts locations in Westchester County and the Bronx. Previously, Inello was a life, disability, and health insurance agent with New England Financial from 1999 to 2003. He was born and raised in Eastchester and has lived in the town's Chester Heights area for the past 10 years with his wife and four children, who all attend the Tuckahoe Schools.

Hargadon is a member of the Hudson Gateway Association of Realtors, the New York Association of Realtors, and the National Association of Realtors. Prior to joining Houlihan & O'Malley, Hargadon was a medical assistant in the Department of Orthopedic Surgery at New York Presbyterian Hospital/Columbia University Medical Center from 2005 to 2014. She graduated from the Mandl School of Allied Health in Manhattan with a degree in Occupational Health. Hargadon grew up in Riverdale and lived for several years in the Bronxville PO section of Yonkers before settling in Eastchester last year with her husband and two young boys.

**Houlihan Lawrence** announced recently the appointment of **Brian Murray** as manager of its Chappaqua brokerage office.

Throughout his time with Houlihan Lawrence, Murray has proven himself to be a rising star. Most recently an agent with the company's Bedford office, he joined the company at a young age over a decade ago, working in field sales for a development represented by the firm's Project Marketing division, company officials stated. He benefitted greatly from the mentorship of two of Houlihan's most influential leaders: VP of Private Brokerage Tony Cutugno and the late Susy Glasgall, the long-standing top producer in Rye and company-wide.

"With leaders like Brian, Houlihan Lawrence is truly investing in the future," said Jim Gricar, general sales manager for Houlihan Lawrence. "We're even prouder to promote from within our own ranks and provide them every bit of support they need to continue moving forward."

Houlihan Lawrence's Chappaqua brokerage serves Armonk, Briarcliff Manor, Mount Kisco, Pleasantville, Thornwood and Yorktown. As manager, Murray will lead 58 agents through all real estate transactions.



Janet Hargadon



Brian Murray

**Hudson United Mortgage** reported recently that **Sadiki Pierre** has joined its office in New City.

Pierre has been in the mortgage industry since 2003, handling matters such as renovation loans and first-time homebuyers.

"Sadiki comes to us with a wealth of knowledge regarding the mortgage business," said Daniel Rand, director of home services for Hudson United. "The dedication he displays for his clients will make him a valuable addition to our expanding team of agents."



Sadiki Pierre

**Thoroughbred Mortgage** has reported the hiring of **Arthur E. Dimella, Jr.**, to facilitate Thoroughbred Mortgage's expansion in Westchester County.

With 20 years of experience in the mortgage banking and consumer finance industry, Dimella has an extensive credit background in underwriting residential mortgage loans. Prior to joining Thoroughbred Mortgage, he provided mortgage consulting to numerous companies, including his previous position of Branch Manager for Atlantic Home Loans.

"We are so glad to have such an experienced, well-respected mortgage banker join our team," said Erik Martin, president of Thoroughbred Mortgage. "Not only does Art help ease the home buying experience for Houlihan Lawrence clients, but he consistently exceeds client expectations."

Thoroughbred Mortgage is an in-



Arthur E. Dimella, Jr.

dependently owned mortgage bank licensed to transact business in New York and Connecticut. Thoroughbred is affiliated with residential brokerage firm Houlihan Lawrence.

**Korth & Shannahan Painting and Carpentry** of Chappaqua, a contracting firm whose residential work has appeared on HGTV's "Property Brothers Buying & Selling," has been recognized with recent awards at both the local and national levels.

The firm was voted Best of Westchester 2016 in the general contractor (painting, carpentry) category by the editors and readers of *Westchester Magazine*. Korth & Shannahan also received the Best of Houzz 2016 Award for top-rated home remodeling professionals in North America, as determined by survey and analysis of an online community of more than 35 million monthly users.

Among the firm's notable clients include: former President Bill and former U.S. Senator Hillary Clinton, Annie Zabar, Steven and Linda Home, George Soros, Abby Rockefeller Simpson, David Einhorn and Clive Davis.



Rosalie Cook

Nicholas Germak, regional vice president of **Weichert, Realtors**, announced recently the brokerage firm's regional award winners for the month of June.

The Monroe office led the region, which is comprised of locations throughout Orange, Dutchess, Westchester and Rockland counties in Connecticut,



Mindy Krause

cut, in four awards categories including new home dollar volume, resale listings, resales and resale revenue units.

In addition, sales associate **Rosalie Cook** of the Monroe office was individually recognized for her success throughout the month. A top producer, Cook led the region for resale revenue units.

**Ricky Caridi** of the New City office



Beth Siciliano

led his sales region for resale listings. **Beth Siciliano** of the Nanuet office led her sales region in new home dollar volume.

The Larchmont office was recognized for outstanding performance in June. The office led its sales region for resale dollar volume.



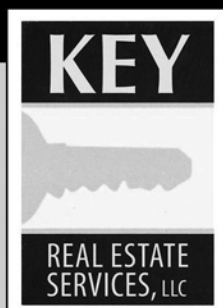
Ricky Caridi



Michal Jacobi

In addition, **Mindy Krause** of the Larchmont office was individually recognized for her success. Krause was the top associate in the region for resales.

Rounding out the regional award winners, Sales Associate **Michal Jacobi** of the Suffern office led the region in resale dollar volume.



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# HGAR UPDATE

AUGUST 2016

## Hudson Gateway Realtor Foundation to Host 'Monte Carlo Night' Gala on September 15

WHITE PLAINS—The Hudson Gateway Association of Realtors is hosting its annual Hudson Gateway Realtor Foundation Gala on Thursday, Sept. 15 from 6 p.m. to 10 p.m. at the Glen Island Harbour Club in New Rochelle.

The event theme, "Monte Carlo Night," will feature an open bar for the entire event, cocktail hour with hors d'oeuvres and live music by "Acute Inflexions," small plate stations, a coffee and dessert bar and live casino with a myriad of games.

Tickets are \$125 per person and the proceeds will benefit local charities and non-profit organizations throughout the lower Hudson Valley.

"Last year, we raised over \$15,000 and we're looking forward to exceeding that amount this year," said Linda Crispinelli, president of the Hudson Gateway Realtor Foundation Board of Trustees. "As Realtors, it's so important for us to give back to the communities where we make our living. Our goal is to strengthen the foundations of these communities and continue to support those living there who may be in need."

Event sponsorships are also available at the following levels:

- Platinum Sponsorship \$7,500

- Gold Sponsorship \$5,000
- Silver Sponsorship \$2,500
- Emerald Sponsorship \$1,000

For more information, please visit [www.HGRealtorFoundation.com](http://www.HGRealtorFoundation.com)

The Hudson Gateway Realtor Foundation supports charities and non-profit organizations that service the housing, hunger, health, happiness, and humane needs within Westchester, Putnam, Rockland, Orange, and Bronx counties. Established in 2004 and re-launched in 2013, the foundation has donated thousands of dollars to charities such as Make-A-Wish Hudson Valley, Habitat for Humanity, the Westchester Coalition for the Hungry and Homeless (now known as the Food Bank of Westchester) and many others.

The Hudson Gateway Association of Realtors is a not-for-profit trade association covering more than 10,000 real estate professionals doing business in Westchester, Putnam, Rockland, and Orange counties. It is the second largest Realtor Association in New York, and one of the largest in the country. It owns and operates the Hudson Gateway

Multiple Listing Service (HGMLS), offering more than 22,000 properties in the Bronx, Westchester, Putnam, Dutchess,

Rockland, Orange, Sullivan and Ulster counties. It is among the top 50 largest MLSs in the country.



Realtors enjoying casino games at last year's Foundation Gala, also held at the Glen Island Harbour Club in New Rochelle.

## SPOTLIGHT ON

### Passionate About Helping The Area's Needy

By Mary T. Prenon

Bonnie Koff may be best known among HGAR members for orchestrating the annual Fashion Show for the Women's Council of Realtors or for presiding over the HG Realtor Foundation's fundraising committee. However, one thing is certain about this petite woman from Chicago—when it comes to fundraising, Koff will never take "no" for an answer!

An Associate Broker with William Raveis Legends Realty Group in Briarcliff and Tarrytown, Koff led the newly re-launched Realtor Foundation through three successful "Pub Night" events, raising more than \$10,000. She's already planning a fourth event for the fall, following the September 15 "Monte Carlo Night" Gala at Glen Island Harbour Club in New Rochelle. "This is going to be a fantastic event and we're hoping to raise even more than we did last year," she said.

Over the years, Koff has raised thousands of dollars for local charities, including the Westchester Coalition for the Hungry and Homeless and many others. The last Fashion Show brought in more than \$23,000. Years ago, she chaired the "Hearts for the Homeless" and "Hope for the Homeless," bringing in more than \$30,000. "I'm very passionate about helping those in need," she said. "I just love doing this, and yes,



**Bonnie Koff**

"I'm a beggar when it comes to asking for donations," she joked.

Born and raised in the "Windy City," Koff studied Art at Drake University in Iowa and later received a B.A. in Fine Arts from the Chicago Academy of Fine Arts. After graduating, she worked with an advertising agency in Chicago, doing catalog illustrations. Later, she married, started a family and became a "stay at home" Mom.

It wasn't long before she found her fundraising passion, becoming the Northern Illinois Chair for the Women's American Orientation for Rehabilitation Through Training. The organization, which began in Israel, provides education and helps people to live independently.

Continued on page 10

#### 2016 HGAR RPAC HONOR ROLL as recorded by NYSAR to July 2016

Thank you to the following Members who are leading the way in the 2016 RPAC campaign

##### Platinum R

Dorothy Botsoe, Dorothy Jensen Realty Inc., White Plains  
Nancy Kennedy, Houlihan Lawrence Inc. Croton-on-Hudson  
Paul Kennedy, Houlihan Lawrence Inc. Croton-on-Hudson

##### Golden R

Richard Haggerty, Hudson Gateway Association of Realtors, Inc.  
Crystal R  
J.P. Endres, BHG Rand Realty, White Plains  
Katheryn DeClerck, BHG Rand Realty, Goshen  
Russell Woolley, Wright Bros Real Estate Inc. Nyack

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Irene Amato, A.S.A.P. Mortgage Corp., Cortlandt Manor  
Leah Caro, Bronxville Real Estate, Bronxville  
Carol Christiansen, Café Realty, Mount Kisco  
Ann Garti, Hudson Gateway Association of Realtors, Inc.  
Donna Gennaro, BHG Rand Realty, Central Valley  
Marcene Hedayati, William Raveis Legends Realty Group, Tarrytown  
Joseph Houlihan, Houlihan & O'Malley R. E. Serv, Bronxville  
Sander Koudjjs, Great American Title Agency, White Plains  
Barry Kramer, Westchester Choice Realty, Scarsdale  
Drew Kessler, M & T Bank - Mortgage Corp Fishkill  
John Lease III, John J. Lease Realtors Inc., Newburgh  
Clayton Livingston, Coldwell Banker Res Brokerage, Croton-on-Hudson  
Stephen Meyers, Houlihan Lawrence Inc., Rye Brook  
Rosemarie A. Pelatti, Keller Williams Hudson Valley Realty, New City  
Marsha Rand, BHG Rand Realty, Nanuet  
WCR, Empire Chapter  
Alan Yassky, Rockland Realty Commercial Real Estate Services LLC, Nanuet

##### President's Club

Margo Bohlin, BHG Rand Realty, New City  
Allan Bohlin, BHG Rand Realty, New City  
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Joseph Lippolis, BHHS River Towns Real Estate, Peekskill  
Eydie Lopez, Wright Bros Real Estate Inc., Nyack  
Cynthia Lippolis, Berkshire Hathaway HomeServices River Towns Real Estate, Croton  
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Jennifer Mallory, Keller Williams Hudson Valley, New City  
Pamela Jones, Coldwell Banker, White Plains  
Pat Palumbo, Houlihan Lawrence, Somers  
Cathleen Stack, HGAR, White Plains  
Eileen Taus, White Plains  
Maryann Tercasio, BHG Rand Realty Central Valley  
Renee Zurlo, BHG Rand Realty, Central Valley

Continued on page 10



# BOARDROOM REPORT

Please welcome the following new members to your area:

## Designated Realtor

Dennisa A. Torres  
2560 Matthews Ave., Ste. 1  
Bronx, NY 10467  
347-346-8700

Jonathan D. Stravitz  
BIOC Commercial RE  
6 E 39th Street, Ste 304  
New York, NY 10016  
212-252-8799

\*\*Mark Karten  
Karten & Lowe New York RE  
431 E 154 St #1  
Bronx, NY 10455  
646-494-8782

## Affiliate

Jay Goldblatt  
Broad Financial, LLC  
21 Robert Pitt Dr.  
Monsey, NY 10952  
845-352-3000

Anna Belle Simms  
Residential Home Funding Corp.  
707 Westchester Ave. Ste. 305  
White Plains, NY 10604  
914-902-5427

Erica Jordan  
Residential Home Funding Corp.  
707 Westchester Ave. Ste. 305  
White Plains, NY 10604  
914-902-5427

Jill Kay  
Arbonne International  
914-602-6562

Michael Murphy  
Mamaroneck Self Storage  
426 Waverly Ave.  
Mamaroneck, NY 10543  
914-777-1177

Peter Spino Jr  
Law Office of Peter Spino Jr.  
7-11 South Broadway  
White Plains, NY 10601  
914-984-5315

Lauryn McKelvie  
The Federal Savings Bank

120 Broadway, 29th , Ste 2950  
New York, NY 10271  
212-692-8468

## Realtor

Hallie Armato  
Coldwell Banker Res. Brokerage, Scarsdale

Karen Heller  
BIOC Commercial RE

Denise M. Delgado  
At Home With Yara Realty

Tonia Tagliaferro  
Julia B. Fee Sotheby's Int. Realty, Rye

Ayleen Aybar  
Keller Williams NY Realty, White Plains

Raul Berrios  
Bronx Experts Realty

Yuval Dalal  
Bronx Experts Realty

Umad R. Saeed  
Bronx Experts Realty

Diomedes Gonzalez Jr.  
Bronx Experts Realty

Felix J. Hernandez  
Keller Williams Realty NYC Group, Bronx

Keith Deraffe  
J.D. Station Plaza Realty Inc.

Luigi Amico  
BHG Rand Realty, New Rochelle

Myong H. Banes  
Grand Lux Realty, Inc., Armonk

Rochelle Cohen  
Keller Williams Realty Partners, Yorktown

Malka Stekel  
Keller Williams Hudson Valley Realty, New City

Amy Baurczarski  
All In One Realty LLC

Kristina Deda  
Keller Williams Realty Group, Scarsdale

Lalana Hunt-Smiling  
All In One Realty LLC

Marc Wiener  
Keller Williams Hudson Valley Realty, New City

Cindy Aqeel  
Keller Williams Realty Partners, Yorktown

Carmella Pervizi  
William Raveis-New York LLC, Katonah

Elise Flangos  
Compass

Margaret Keller  
All In One Realty LLC

Erica L. Diamond  
Benchmark Real Estate Sales, LLC

Soraya Zavieh  
Coldwell Banker Res. Brokerage, White Plains

Frank J. Palmer  
BHG Rand Realty, Dobbs Ferry

Costantino Fragale  
Realty Guild LLC

Valerie B. Otto  
Houlihan Lawrence Inc., Bronxville

Robert Pappas  
United Real Estate LLC

Cindy R. Iver  
William Raveis Real Estate, Scarsdale

Joshua Quansah  
Keller Williams Realty NYC Group, Bronx

Zachary Fenton  
Maxwell Jacobs, Inc.

John Skrelja  
Interactive Realty LLC

Raymond LaLuna  
Houlihan Lawrence Inc., White Plains

Jane Martin  
Real Living Five Corners

Rivky Schwarz  
Equest Realty Group

Katrina Gallishaw  
Coldwell Banker Signature Prop., Bronx

Bradford Levis  
Weichert Realtors, Monroe

Alissa Taylor-Vetell  
Weichert Realtors, Monroe

Patrick Gomez  
Weichert Realtors, Nanuet

Philip Bisesto  
Keller Williams Realty Partner, Bedford

Dorothea M. Roberts  
Keller Williams Hudson Valley Realty, New City

Valencia E. Thompson  
Royal Fine Homes Inc.

Kaitlin Basso  
Coldwell Banker Res. Brokerage, White Plains

Cedric Lucas  
Kevin Brooks Realty, LLC

Binit Kumar  
Exit Realty Search

Owais Khan  
Briante Realty Group, LLC

Lisa Siapanides  
BHG Rand Realty, Thornwood

Joel S. Fisher  
Green Triangle Equities, LTD

Jennifer Reddington  
Julia B. Fee Sotheby's Int. Realty, Rye

Jonathan Martinez  
Exit Realty Power

Sandra A. Smith  
Houlihan Lawrence Inc., White Plains

Tataneesha Gallimore  
Keller Williams Realty NYC Group, Bronx

Wendy L. Reynolds  
Mary Jane Pastor Realty, Inc.

Christine Farrell  
Houlihan Lawrence Inc., New Rochelle

Edgar Reyes  
Exit Realty Group

Faton Zogejani  
Exit Realty Power

John Hearon  
Houlihan Lawrence Inc., Pelham

Jessica M. Middlebrooks  
William Raveis Real Estate, Yorktown

April Vitaliani  
Houlihan Lawrence Inc., Lagrangeville

Kamil Nicalek  
Keller Williams Realty, Chester

Ian O. Jackson  
Hollingsworth Real Estate Group

Jared Paletti  
Houlihan Lawrence Inc., Pelham

Quinique N. Hollis  
WAP Realty Group, Inc.

Marlane S. Amelio  
William Raveis-New York LLC, Rye

Mirela M. Hadaller  
Imagine Properties

Robert Matson  
Stop Realty

Thomas Carbone  
Grand Lux Realty Cerrone Inc., Ardsley

Kelly Corwen  
Houlihan Lawrence Inc., New Rochelle

Naomi Tzur  
Grand Lux Realty Cerrone Inc., Ardsley

Hakim Taylor  
Charles Rutenberg Realty, Inc., Plainview

Sherri Malone  
Coldwell Banker Res. Brokerage, Somers

Andrew S. Persaud  
Global Dream Homes Realty Inc.

Franz C. deFreitas  
Villa Star Realty

Naftali Greenberg  
Green Triangle Equities, LTD

Horacio Carrica  
Charles Rutenberg Realty, Inc., Plainview

Andrew Luce  
Tuxedo Hudson Realty Corp

Alfred Bruno  
Berkshire Hathaway HS West. Properties, Eastchester

Karie Boniface  
BHG Rand Realty, Pine Bush

Daniel Lavi  
Keller Williams Hudson Valley Realty, New City

Brian Lavorgna  
KRS Realty LLC

Brian McPhillips  
Keller Williams Realty Hudson Valley United, Rock Hill

Catherine N. Franko  
Keller Williams Realty, Chester

Michael Franko  
Keller Williams Realty, Chester

Jacqueline Manzollilo-Blais  
Hudson Heritage Realty

Felix Somarriba  
BHG Rand Realty, Stony Point

Hazel D. Cello  
Keller Williams Hudsn Vly Untd, Middletown

Meryl Brown  
William Raveis Baer & McIntosh, Nyack

Joseph F. Abbamonte  
Keller Williams Hudsn Vly Untd, Middletown

Michelle Genatempo  
Keller Williams Hudsn Vly Untd, Middletown

Carole Cusani  
Julia B. Fee Sotheby's Int. Realty, Bronxville

Sheryl Hough  
Global Property Systems Real Estate LLC

Elena Coogan  
Coldwell Banker Village Green Realty, Goshen

Melanie D. Mendez  
Wright Bros Real Estate Inc.

Aunicea A. Gathers  
Keller Williams Hudsn Vly Untd, Middletown

Christopher D. Bennett  
Keller Williams Hudsn Vly Untd, Middletown

John B. Aires  
BIOC Commercial RE

Erik Lantier  
BHG Rand Realty, White Plains

Laurie E. Dallos  
Coldwell Banker Res. Brokerage, Larchmont

James Stevens  
Keller Williams Realty Partners, Yorktown

Jasmin Gonzalez  
Country Corners Real Estate

Michele Lawson  
Madison Allied

Alvaro Brito  
Berkshire Hathaway HS West. Properties, Larchmont

James F. Nevins  
All In One Realty LLC

Kristin Scanlon  
Exit Realty Private Client

Alexes Lowe  
Karten & Lowe New York

Brett C. Verlen  
Karten & Lowe New York

Anthony A. Otten  
Karten & Lowe New York

Jennifer Grullon  
Karten & Lowe New York

## Spotlight on Bonnie Koff

Continued from page 9

In 1968, Koff made the big move to New York and settled in Scarsdale. In her experience, the winters here are much milder than in the Midwest. "Yes, the weather was really an issue in Chicago," she explained. "We had some really bad winters and I have to laugh when people here complain about the snow."

Putting her arts background to work once again, Koff opened an art gallery in Mamaroneck, featuring paintings, etchings and woodworks by young American artists. The shop, called "Imperator," also offered unique framing.

"Imperator" flourished from 1969 through 1975, with people from all over the New York metro area shopping there. She later sold the gallery, and in 1975, she joined the staff of the Sarah Neuman Nursing Home in arts and recreation therapy. "My mother hated that I was working there," she admitted. "She always told me 'you're going to get old working there'. Instead it was a great experience."

Her next career was the owner of Nails, Etc, the first nail salon in Westchester. "I remember seeing a 'for rent' sign in the Colonial Village Shopping Center in Scarsdale and I asked someone what business was coming in there" she recalled. When she found out the space was up for grabs, she immediately wrote a check for \$500 to hold it for 24 hours. "I always wanted to open a nail salon and when I told my husband, he thought I was talking about nails and hammers!"

The shop offered manicures, pedicures, facials and waxing. Koff grew the business for 17 years. When she sold it in 1995, she had five locations—Scarsdale, Armonk, and Briarcliff in Westchester County, and two in the State of Minnesota. Koff met her Minnesota business partner while vacationing in

Turks and Caicos.

Her foray into real estate came shortly afterward. "My father always said I could sell a lot on the ocean," she quipped, "so I thought, why not go into real estate." After earning her license, she met J.P. Endres and joined the David Endres Realty Group in Scarsdale. "It was a wonderful beginning," said Koff.

She received her broker's license in 1997, worked with various firms in Westchester and then landed at William Raveis Legends in 2008. "I just love what I do," she said. "Helping people get to their next plateau in their lives is very rewarding."

Koff credits Endres with getting her involved with the Women's Council of Realtors. "She literally pushed me into becoming a member," she said. "It was fun and exciting." Koff made her way through the ranks of the WCR, becoming president of the local chapter and also serving on the state level. In addition, she has served as a member of the Communications Committee for the New York State Association of Realtors.

She has been included in *Westchester Magazine's* Top Realtors list for the past six years and has been named a top producer throughout her 20-year real estate career. Koff also served on the Board of Directors for the Westchester Coalition for the Hungry and Homeless (which has since merged with the Food Bank for Westchester) from 2012 to 2014.

Currently, she lives in Port Chester and has three grown children and eight grandchildren. She recalls introducing her 11-year old granddaughter to her world of fundraising. She asked for help selling raffles to benefit local charities at the Affordable Housing Expo. "I was so proud of her—she sold \$600 worth of raffles in just a half an hour," said Koff. "It was a great life lesson."

## Honor Roll

Continued from page 9

### 99 Club

Paulette Bailey, Bronx, Janet Brand, Briarcliff Manor, Randall Calano, Yorktown Heights, Leon Cameron, White Plains, Gary Connolly, White Plains, Patricia Cassese, Scarsdale, Michael Crisculo, Irvington, Theresa Crozier, White Plains, Nancy Curasi, Montgomery, Kevin Dwyer, Mahopac, Gail Fattizzi, Eastchester, Valentina Dedvukaj, White Plains, Jeffrey Farnell, Newburgh, Cecilia Feng, Peekskill, Ronald Garafalo, Pine Bush, Patricia Holmes, Rye, Nancy Keller, Yorktown Heights, Mary Kingsley, Pelham, Carol Kope, White Plains, Gary Leogrande, White Plains, Kathleen Mangan, Pelham, Donna McGroder, Highland Mills, Gregory Miller, New City, Josef Muller, Scarsdale, Patricia Palumbo, Somers, Kathy Piergiorgi, Goshen, Mary Prenon, White Plains, Peggy Shea, White Plains, Myriam Ramos, Yorktown Heights, Cary Sleeper, Larchmont, Patsy Sposato, Valhalla, Claudia Vaccaro, Warwick, Leah Warncke, White Plains, Philip Weiden, White Plains, Karen Willman, Brewster

Recap of Contributions Year to Date\*\*  
**TOTAL: \$112,335 from 2,097 contributors**

**Goal: \$144,787 from 3,278 contributors**

% of dollar goal: 78%  
% of member goal: 64%

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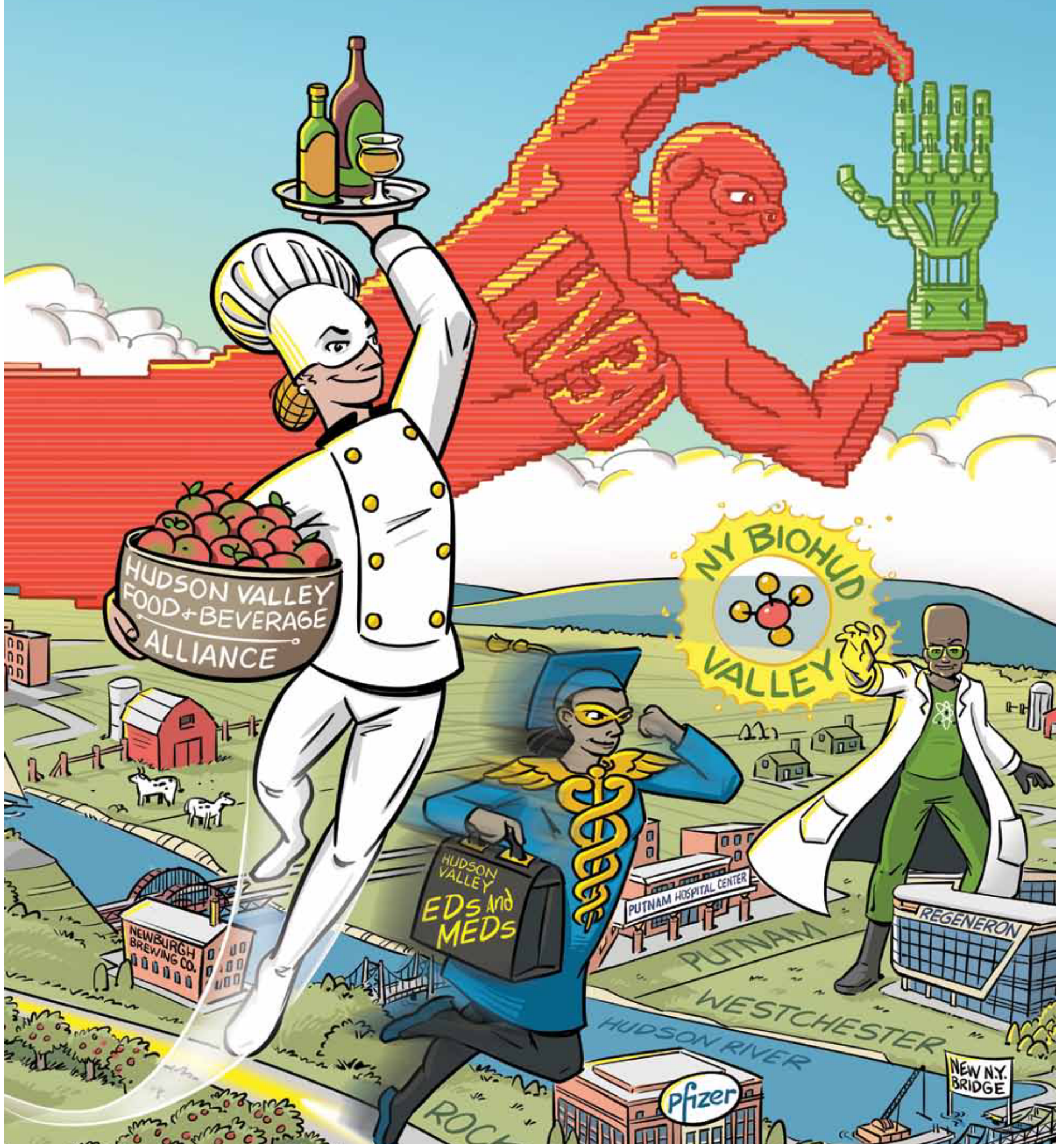
# REAL ESTATE IN-DEPTH

Official Publication of the Hudson Gateway Association of Realtors



## Special Supplement

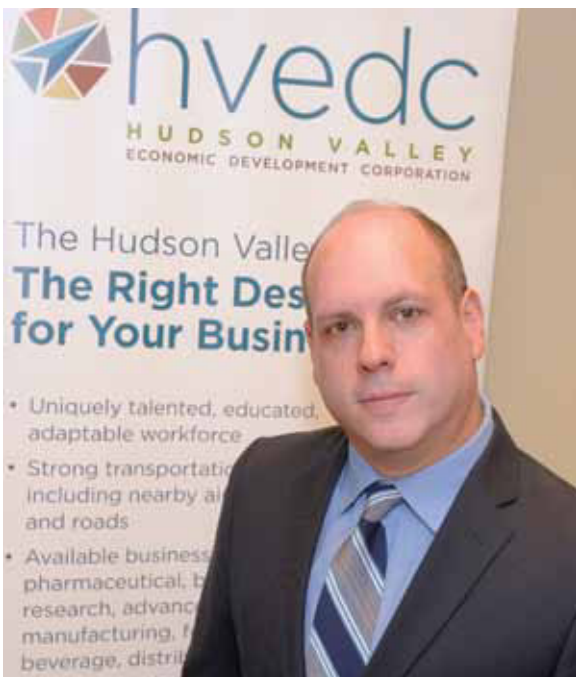
### FOCUS ON THE HUDSON VALLEY





# A Conversation with Laurence P. Gottlieb, HVEDC President and CEO

## Developing Strategies to Grow the Hudson Valley Region



Laurence P. Gottlieb, president and CEO of the Hudson Valley Economic Development Corporation

By John Jordan

NEW WINDSOR—*Real Estate In-Depth* recently sat down with Laurence P. Gottlieb, president and CEO of the Hudson Valley Economic Development Corporation based in New Windsor on the grounds of Stewart International Airport to discuss the key strengths of the Hudson Valley region and how HVEDC is looking to grow the regional economy.

The HVEDC is a regional economic development organization whose market area includes: Westchester, Rockland, Putnam, Orange, Ulster, Dutchess and Sullivan counties.

Before joining HVEDC in February 2013, Gottlieb had

amassed 25 years of experience as a senior advisor to CEOs, government leaders and non-profit executives. In his last position as Director of Economic Development for Westchester County, Gottlieb was responsible for nearly \$500 million in new business expansion and attraction projects, working with firms including: PepsiCo, IBM, Atlas Air, Dannon, Sabra Dipping, Acorda Therapeutics, OrthoNet, Regeneron and Lifetime Fitness.

It was in his post as head of economic development in Westchester County where he rebranded the county as “New York’s Intellectual Capital” and worked with then HVEDC President Mike Oates to form HVEDC’s first industry cluster: NY BioHud Valley to market the region as a mecca for biotechnology and biopharmaceutical firms. Since then, HVEDC has formed a number of

other industry clusters: 3-D Printing, the Food & Beverage Alliance, EDs & MEDs (health care and higher education), Hudson Valley Play (amusement, gaming and recreational industries) and Hudson Valley Economic Development Network (a cluster geared to encourage continued business education and training to enhance economic development throughout the region.)

**Q:** *Regionalism has always been a lofty goal for economic development professionals, but for years fell victim to partisan realities. Do you believe that has changed and did regionalism get a major boost with the launch of Gov. Cuomo’s Regional Councils?*

**Gottlieb:** We take a lot of pride in the fact that as a regional organization a number of years ago we decided to go in the direction of these (industry)

Continued on page 15

## Hudson Valley Seeing Strong Sales Activity Throughout Region

By Renee Zurlo

President, Hudson Gateway Multiple Listing Service

As reported in HGAR’s 2016 second quarter residential real estate sales report, the Hudson Valley continues to experience increased sales volume.

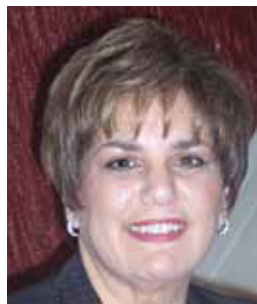
This long awaited market condition has produced a five-year high of second quarter sales reaching an overall 23% increase in closings over the same pe-

riod in 2015. Putnam County, at 32%, had the largest increase in sales while Orange County ran a close second at 30% in the second quarter. Second quarter price increases were reported for Putnam, Rockland and Orange counties for the median sale price of single-family homes. Putnam had the largest increase at 8.5%, with a median sale price of \$314,000. Orange County had an increase of 6%, with a median sale price of \$222,500 and Rockland County posted an increase of 4.9% with a median sale price of \$430,000.

**“Economic conditions and political activity will be the main factors for the housing market moving forward, but we should expect that prices will increase due to current market conditions, decreased inventory and buyer demand.”**

—Renee Zurlo

President, Hudson Gateway Multiple Listing Service



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Westchester reported a 1.6% decrease in the median sale price of a single family home, with a median sale price of \$650,000.

At our mid-year point, the Hudson Gateway Multiple Listing Service reported an active listing inventory of 9,972, a 20% decrease from 12,400 listings at the end of the 2015 second quarter.

This tightening of inventory continues in all of our regions. With increased buyer demand, historically low interest rates and a decreased listing inventory, properties are selling quickly. We are experiencing many multiple offer situations, both on newly listed properties and properties that have been on the market for several months.

In Orange County, our active listing

inventory has been steadily decreasing year-after-year, from a high of 3,394 properties at the second quarter mark in 2012, to an inventory of 2,398 at this year’s second quarter. In addition, the number of listed REO properties continues to rise. At the end of the 2014’s second quarter, the number of REO listings was reported at 136. The same time period in 2015 reported 173, and at the end of this year’s second quarter, we

have 243 listed REO properties. New construction has provided a much needed, fresh new inventory for Orange County. Open house traffic at new home sites increased in the spring and is continuing through the summer. Several projects have beginning price points that appeal to first-time homebuyers and we are seeing a definite increase in new home contracts and sales.

**Looking Forward**

The outlook for our Hudson Valley fall market is consistent with nationwide and surrounding areas that have been experiencing improved markets. Economic conditions and political activity will be the main factors for the housing market moving forward, but we should expect that prices will increase due to current market conditions, decreased inventory and buyer demand.

Based on recent experiences and observations in my local market area of Orange County, it is crucial that we continue to do our best to educate buyers and sellers to these current market conditions. Our Matrix system can provide several effective resources, reports and market data that will help guide in pricing and negotiation, most particularly in multiple offer situations.

A current market analysis is not only a necessary and key resource for a

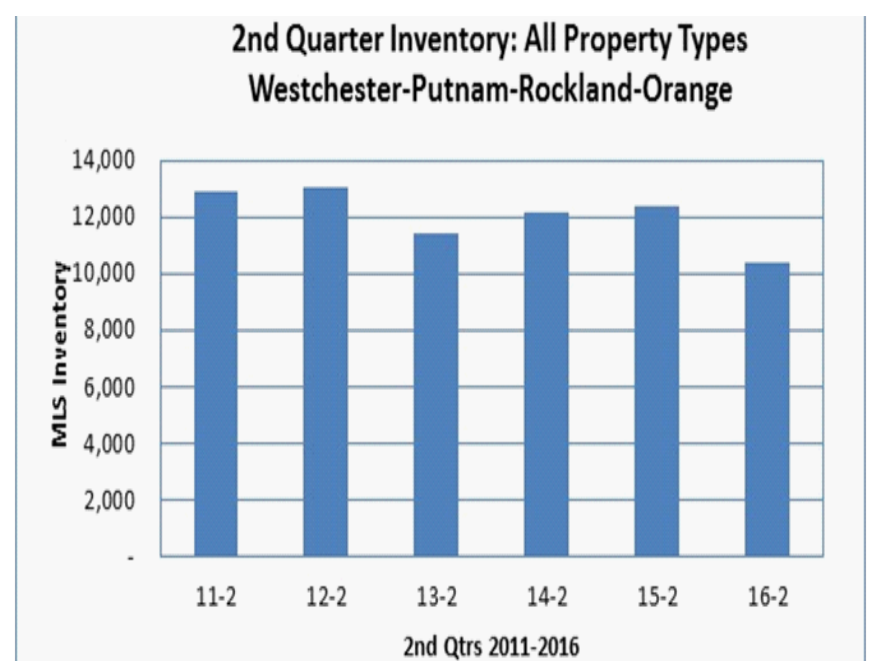
seller, but can also be a helpful tool to guide a buyer when making an offer. Our statistical reports can provide a variety of helpful data since these can be customized to desired criteria. Another helpful resource is the Market Conditions Summary Report, which provides statistics such as, months of housing supply, absorption rate, median sale and list price information, including list to sale price ratio.

This is an exciting time in our busi-

ness and one that we’ve waited a decade for! Let’s arm ourselves with all that is available to us in order to fully service our buyers and sellers, and prosper in this busy market.

*Editor’s Note: Statistical information derived from HGMLS.*

Renee Zurlo is president of the Hudson Gateway Multiple Listing Service and regional manager for Better Homes and Gardens Rand Realty.



## Mark Your Calendar: Hudson Valley Beer, Wine, Spirits & Cider Summit

HYDE PARK, NY—The Hudson Valley Economic Development Corp. is staging its 4th Annual Hudson Valley Beer, Wine, Spirits & Cider Summit on Tuesday, Oct. 4 at The Culinary Institute of America here.

The event will begin at noon and run until 6 p.m. The keynote speaker will be Charles Merinoff, principal founder and co-chairman of Breakthru Beverage Group. The annual program is an educational forum and networking opportunity for craft beverage entrepreneurs in the Hudson Valley region. The event is the largest event of its kind in New York State, drawing a crowd of 400. The program is a collaborative effort among HVEDC, The Culinary Institute of America and New York State through its “Taste NY” initiative.

The Hudson Valley region boasts industry icons such as PepsiCo, Dannon and Heineken alongside dozens of other successful and growing industry players like Best Mexican, Gillette Creamery, Harney & Son’s Tea, Sabra Dipping, Captain Lawrence Brewing Co., Newburgh Brewing Co., Satin Fine Foods and Manhattan Beer Distributors.

HVEDC’s Hudson Valley Food & Beverage Alliance provides access to economic guidance and marketing resources to the burgeoning food and beverage industry throughout the region and provides industry events for education and collaboration. According to the HVEDC, the number of people employed by the food and beverage sector in the regional economy grew by nearly 20% from 2010 to 2014, with more than 57,000 people employed by more than 5,000 businesses. For more information on the summit or to register go to <http://www.hvedc.com>.



# Health Care, Education Sectors Creating Thousands of New Jobs

By John Jordan

The health care and education sectors have been key drivers of new jobs in the Hudson Valley region the past few years and all indications are that they will continue to fuel economic growth in the years to come.

The health care industry, particularly, has been especially active with major investments and partnerships undertaken recently by New York City based health care institutions, such as Montefiore, New York Presbyterian, Sloan Kettering, and the Hospital for Special Surgery. In addition, there has been more than \$1 billion in health care campus expansion projects unveiled so far this year in the Hudson Valley that will result in numerous new construction jobs and a significant amount of permanent jobs upon project completion.

The Hudson Valley is home to more than 30 public and private colleges and universities with an estimated 35,000 employees, and 37 hospitals employing nearly 100,000 individuals in health care-related occupations, according to figures compiled by the Hudson Valley Economic Development Corp.

The proof of the health care and education sector's positive impact on the region is clearly evident by the job numbers. In the 12-month period between June 2015-June 2016, the education and health services sector added 7,700 jobs, according to the New York State Department of Labor.

According to a report released in September 2015 by the New York State Department of Labor chronicling the major industries in the Hudson Valley, regional market analyst Johnny Nelson stated that the health care sector added 4,300 jobs from 2009-2014. The education sector, which has the largest employment base in the Hudson Valley, has rebounded the past few years after shedding 4,700 positions during the 2009-2014 period.

The two largest health care related investments are at the Westchester Medical Center campus in Valhalla and Health Quest's Vassar Brothers Medical Center in Poughkeepsie.

A groundbreaking is scheduled this September for the \$466-million, 696,000-square-foot complex in Poughkeepsie. The new seven-level inpatient pavilion will feature 264 private medical/surgical patient rooms and 30 critical care rooms. It also will include an emergency department/trauma center with 66 treatment rooms, parking for ambulances and the public, new operating rooms, a cafeteria with an outdoor veranda and a flexible conference center with three large rooms for use by the public and service groups. HealthQuest hopes to complete the project and have the first patient served by the new pavilion by January 2019. The project is reportedly the largest construction project in the history of the City of Poughkeepsie.

Earlier this year, the Westchester Medical Center announced plans for a \$230-million expansion of its facilities at the Grasslands campus in Valhalla. The new eight-story steel and glass Ambulatory Care Pavilion will include 185,000 square feet of ambulatory care service space, including an Advanced Imaging Center, an Ambulatory Surgery Center and Heart and Vascular Institute, and a 20,000-square-foot private-room expansion for Westchester Medical Center, plus another 75,000 square feet for physician offices.

The project, which secured incentives from the Westchester Local Development Corp., is expected to create 225 prevailing wage construction jobs and generate 180 new full-time jobs when complete. The WMCH Health Ambulatory Care Pavilion is believed to be one of Westchester's largest non-residential building projects in recent memory, and the largest healthcare proj-



A rendering of the \$466-million Vassar Brothers Medical Center Patient Pavilion in Poughkeepsie.

ect since Westchester Medical Center's 400,000-square-foot main tower was built in 1977 and its 250,000-square-foot Maria Fareri Children's Hospital was built in 2004.

Another new construction project in the region is Orange Regional Medical Center's new \$99-million new 153,000 square foot, five-story medical office building and a 26,000 square foot, single-story cancer center. Construction on the expansion project in the Town of Wallkill is nearing completion at press time.

Other significant recent health care-related transactions of note include the Hospital for Special Surgery's planned expansion into approximately 55,000 square feet of space at 1133 Westchester Ave. in White Plains. According to published reports, construction on the center is scheduled to begin in September 2016 with an anticipated opening sometime in the fourth quarter of 2017.

In addition, providers such as West-Med Medical Group and Crystal Run Healthcare have expanded operations. Crystal Run Healthcare recently completed the construction of a 70,000-square-foot location in West Nyack earlier this month and is building a facility of a similar size in Monroe.

The Hudson Valley Economic Development Corp. held a seminar earlier this year that focused on the explosive growth taking place in the health care and higher education sectors. The program entitled "Hudson Valley EDs & MEDs Power Panel" was held at Marist College in Poughkeepsie this past spring.

More than 250 registered for the event, where business executives and community leaders gathered at the Nelly Goletti Theatre at Marist College to hear examples of organizational success and forecasts about future health care and education trends.

"If you look at labor data from the past several years, it is quite clear that health care and higher education are major economic engines and significant job generators," said Laurence P. Gottlieb, HVEDC president and CEO. "Given their important role in a thriving Hudson Valley economy, with over a billion dollars in expansion plans announced just within the past year, we felt it was important to hear directly from their top executives how we as a community can support their ambitious plans for growth."

Chad Rynbrandt, head of strategy and business development for global health care technology leader, Philips NA, was the keynote speaker. Westchester Medical Center Health Network earlier this year signed a \$500-million, 15-year agreement with Philips, as the company will supply state-of-the-art technology and strategic consultation in service to Westchester Medical Center Health Network customers throughout the region.

"Digital innovation allows us to make the connections we need to better inform an engaged public," said Rynbrandt. "That also allows us to get diagnoses right the first-time. There will also be mini-

mally invasive therapies."

Rynbrandt spoke about how Google sensors embedded into contact lenses can monitor blood glucose levels. Google, he said, has also created digital technology that tells eyeglass wearers who they are looking at through facial recognition technology, which can be of great benefit to Alzheimer's patients. He also spoke about how sensor transmitters from Redwood City, CA-based Proteus are now embedded into medication and activated by stomach acid, generating signals picked up by a disposable bandage-like patch on patient torsos to keep tabs on chronic illness statuses and overall medical needs.

Rynbrandt also spoke about Westchester Medical Center Health Network's innovative use of "eHealth telehealth" technology, an initiative to improve patient outcomes throughout the Hudson Valley. With multimedia stations equipped with the latest telehealth patient monitoring technologies and software, this hub is staffed around the clock by highly trained physicians, nurses and other health care professionals. They serve, remotely, as a complement to the dedicated care teams for patients in network hospitals, nursing homes, physician offices and, eventually, homes across the region.

"This is a wonderful example of how digital innovation, practically applied, makes a difference in people's lives," he added.

Rynbrandt said medical providers

how those projects were necessary to deal with the expanded growth in-patient services at their institutions.

Orange Regional Medical Center, the result of the merger of the former Horton Hospital in Middletown and the Arden Hill Hospital in Goshen, opened its doors for the first time in June 2012. The new hospital, which features 354 private rooms, was built at a cost of approximately \$317 million and was the first new hospital construction in 20 years in New York State. The Greater Hudson Valley Health System is the parent of Orange Regional Medical Center and Catskill Regional Medical Center in Harris, NY.

Orange Regional Medical Center's relationships with area higher education institutions, including the Touro College of Osteopathic Medicine in Middletown, result in more than 800 students rotating through the hospital annually, he added.

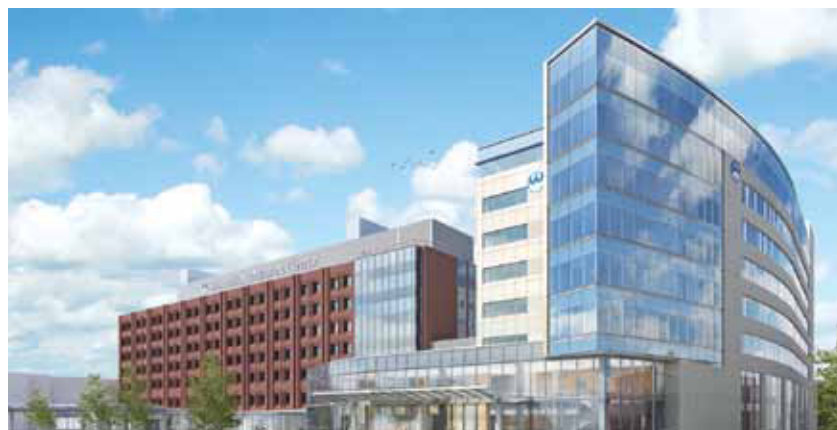
Hochenberg pointed out how technology advancements raise the standard in patient care, noting the majority of Mid-Hudson Regional's capital costs are tied to technology acquisitions.

McGuinness equally addressed the impact of technology and how it positively affects an organization's physical plant as well as human resource development. "What I tell people is that I'm in the people business, but we also happen to deliver health care," he said.

Batulis characterized his organization as "transformational," noting, "We have the first replacement hospital in 20 years in New York State. We're working smarter and better to drive down costs."

DiCarlo spoke about the increased use of analytics in health care, noting that health care consumers have many choices and a positive patient experience is critical, requiring organizations like WESTMED to "reframe what the clinical professional looks like today."

"People don't come to us because they feel great," DiCarlo said. "We focus on empathic, patient-centric care. We want an unbelievably positive experi-



A rendering of the Ambulatory Care Pavilion at the Westchester Medical Center in Valhalla.

and suppliers need to manage talent as a strategic asset; apply outside thinking to challenge the status quo; use different hiring sources and have new roles in health systems, including: pop health, analytics, digital innovation, clinical transformation, customer experience and care coordinators.

The program also featured a panel of regional, senior-level and higher education and health care executives that included: Scott Batulis, president and CEO of the Greater Hudson Valley Health System; Joseph DiCarlo, senior vice president and director of human resources of WESTMED Practice Partners; James DuMond, Ph.D., dean of the School of Science at Marist College; Paul Hochenberg, executive director of Mid-Hudson Regional Hospital, member of the Westchester Medical Center Health Network; and Luke McGuinness, Health Quest CEO.

Hochberg, McGuinness and Batulis discussed respectively Westchester Medical Center's, Health Quest's and Orange Regional's expansion projects and

ence. And we tell people, take computer science if you want to be employed."

DuMond stressed that the STEM (Science, Technology, Engineering and Math) field is being recognized by students throughout the region as stepping-stones for a "nice paycheck."

Additionally, he said, relationships with area community colleges and health care providers remain critically important, and are balanced with making sure technology used by those health care providers is the same used by higher education institutions when training its students.

Collectively, the panelists predicted that information technology needs will only continue to grow and become more sophisticated, requiring health care professionals to be more technologically savvy.

They also offered a somewhat somber note that consolidation of hospitals has come late to New York State, predicting further decommissioning of acute care beds are likely in the near future.



# Major Resort Developments to Provide Significant Economic Boost to Region

By John Jordan

Tourism has always been a staple of the Hudson Valley economy. However, two major resort projects are expected to be game-changers for not only the tourism and lodging sectors, but for the regional economy as a whole.

The Hudson Valley, already a major tourist destination, could soon become home to two major resort destinations. At present, a \$1.3-billion casino entertainment resort is being developed in Sullivan County and the \$500-million Legoland amusement resort development is in the approval process in Orange County.

Back in March, the 40-year quest to bring casino gaming to Sullivan County ended when Montreign Operating Company, LLC, a wholly-owned subsidiary of Empire Resorts Inc., submitted its \$51-million casino license fee to the

State Gaming Commission in December 2015. Empire Resorts is now building the Montreign Resort Casino that is being designed to meet 5-star and 5-diamond standards. A multi-faceted non-gaming four-seasons water park resort adjacent to the casino project is also planned.

Major elements of the 1.5-million-square-foot Montreign Resort Casino resort include:

- A 90,000-square-foot casino over 2,000 slot machines, and more than 100 table games.

- Designated VIP/high-limit areas within the gaming floor will offer a minimum of 26 slot machines, eight table games, and a player's lounge with food and beverages;

- An 18 story hotel tower containing 332 luxury rooms (including at least eight 1,000 – 1,200 square foot garden

suites, seven 1,800 square foot, two story townhouse villas, and 12 penthouse-level suites), indoor pools and fitness center;

- A VIP floor containing six private VIP gaming salons, a private gaming cage, and butler service;

A total of 27,000 square feet of multi-purpose meeting and entertainment space with seating capacity for 1,300 people and a mezzanine level that includes a 14-16 table poker room, access to outdoor terraces and approximately 7,000 square feet of meeting room space;



The \$1.3-billion Montreign Resort Casino will open for business in March 2018.

- A 7,500 square foot spa;

- Seven restaurants and four bars are on the menu, including an Italian steakhouse restaurant concept of Celebrity Chef, restaurateur and author Scott Conant, a judge on the Food Network's Chopped program; as well as a high-end Asian restaurant, a "noodle bar," and a 24-hour eatery.

- A more than 50,000-square-foot "Entertainment Village" with high-end dining facilities, entertainment and retail shops that will be connected via walkway to the casino.

- Empire Resorts is also renovating its 18-hole Monster Golf Course under the supervision of "The US Open Doctor" Rees Jones.

The non-gaming-related development, formerly known as Adelaar, is being financed by EPR Properties and developed by The Aquatic Development Group of Cohoes, NY. That portion of the development will feature an Indoor Waterpark Lodge including a 325-room hotel, indoor and outdoor water parks, and other amenities. Among The Aquatic Development Group's diverse portfolio includes the Camelback Resort in the Poconos in Pennsylvania.

Charles Degliomini, executive vice president of government affairs and corporate communications for Empire Resorts, said that site clearing work on the casino project began a little over a year ago. He said that construction of the casino off Exit 106 of Route 17 is on schedule. The casino is mandated by the Gaming Commission to be operational by March 2018.

"We have a very aggressive construction schedule and we have a lot of guys on the job," Degliomini said. "This is a full PLA (Project Labor Agreement with the Hudson Valley Building & Construction Trades Council) job." He adds that there are opportunities for anyone who is "swinging a hammer or twisting rebar on our site" who is a member of the unionized building trades. He added that open-shop contractors that sign the PLA can also secure work at the casino project.

Montreign Resort Casino is expected to generate four million new tourist visitations to the Hudson Valley and will create more than 5,000 construction and permanent jobs.

Degliomini cited several factors for the project being on-time—a mild winter

and its talented construction workforce headed by construction manager LP-Ciminelli of Buffalo, NY. "We have probably the best tradesmen on the East Coast working on this project. These men and women are just absolutely phenomenal. They are getting the job done with no problems, no issues. On big construction projects like this you usually read horror stories about labor issues going on, this job is running like a well-oiled machine."

He said that work is nearly complete on approximately \$103 million in infrastructure work. Work is ongoing on a pre-cast 1,600-vehicle underground parking garage as well as work on the 18-story hotel tower. Degliomini noted that steel had already been erected and that the tower now stands seven stories high. When completed, the 18-story tower will be the highest structure in Orange, Sullivan and Ulster counties, he noted.

Degliomini said earlier this month that there were about 400 construction workers at the site. However, he expects that the workforce will grow to approximately 1,000 at peak for the casino project and the total development could reach between 1,300 to 1,500 workers once work on the water park gets underway.

The project timeline calls for the casino/hotel to be operational by March 2018 with the golf course slated to open several months thereafter. The Entertainment Village will open six months after golfers first hit the tees at the golf course and the adjoining water park is expected to open for its first patrons in March 2019.

When asked whether the proposed Legoland theme park in Goshen would be an issue to the Montreign resort, Degliomini in fact said the development could likely bring more business to the casino resort located about 35 miles north of the planned Orange County amusement park.

"We like the fact that they (Legoland) will create 1 million new visitations to the region," he said. "We think that is a positive... It is not a competitor to our business." He added that if the Legoland park is developed, some families will perhaps instead of just limiting their vacation to a day or two at Legoland, will extend their trip to spend time at the Montreign casino resort and water park.



A recent photo of construction at the Montreign site in Sullivan County.

New York State Gaming Commission. Empire Resorts is the developer of the Montreign casino and entertainment resort currently under construction in the Town of Thompson.

Empire Resorts was officially awarded a gaming license by the New York

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## Legoland Moving Forward With Goshen Development

GOSHEN—Merlin Entertainments plc filed plans with the Town of Goshen in June for its \$500-million theme park to be built on property bordering Route 17.

During a recent Open House, John Ussher, senior divisional director, Legoland Development, and John Jakobsen, chief new openings officer, made multiple presentations to inform attendees of the specific details of the project and how Merlin was to mitigate some of the concerns the Town of Goshen and its residents might have concerning the development.

The third Legoland Park in North America in Goshen, if approved, would mirror the successful concept of the six operating resorts in Florida, California, the United Kingdom, Germany, Malaysia and Denmark. The proposal for the LEGOLAND New York Resort includes a theme park with more than 50 rides, shows and attractions and a 250-room LEGOLAND Hotel. The theme park will be geared toward families with children ages two to 12.

Merlin Entertainments, the developer and operator of the proposed park, is

Continued on page 16



# Hudson Valley Advanced Manufacturing Center Designated as 'Smart Lab' by Major 3-D Printer



**SUNY New Paltz President Donald P. Christian (second from right) visited the office of Ulster County Executive Mike Hein (far left) to present him with two unique gifts produced by the Hudson Valley Advanced Manufacturing Center (HVAMC): a 3D-printed model of the county government building and a topographic map of Ulster County.**

NEW PALTZ—SUNY New Paltz is the first institution of higher education to be designated a Stratasys-MakerBot Additive Research & Teaching or SMART lab by Stratasys, the largest 3D printer company in the world.

The announcement came during an open house for the Hudson Valley Advanced Manufacturing Center in June.

“Our designation as a SMART lab is a huge step for the HVAMC,” said Dan Freedman, dean of the School of Science and Engineering and HVAMC director. “The combination of our unique

focus on the intersection of art, engineering and science, with this recognition and support from the world’s leading manufacturer of 3D printers, allows us to offer an unparalleled interdisciplinary educational experience, helps us support regional businesses and gives all of our students and faculty the tools to perform cutting-edge work in art, engineering and design.”

SUNY News Paltz also announced a new, 18-credit minor in digital design and fabrication—the result of a unique partnership between the Schools of Fine

& Performing Arts and Science & Engineering to prepare a new generation of students to conceptualize and design for 21st century manufacturing.

“The Digital Design & Fabrication minor brings together faculty from art, engineering, design and computer science,” said Jeni Mokren, dean of the School of Fine & Performing Arts. “This gives our students access to a range of expertise that will enable them to understand the technical capabilities and restraints of advanced manufacturing, while making products that function and look good, too. It also means our graduates will be highly sought-after by employers across the region and around the world.”

SUNY New Paltz President Donald P. Christian added that the Schools of Business and Education are engaging in 3D design and printing as well. “Our students receive an unparalleled education and experience that will prepare them for the design challenges of the modern world,” he said. “Regional businesses have a valuable resource for innovation and SUNY New Paltz contributes to the broader workforce and economic development of the Hudson Valley.”

“What started as an HVEDC regional economic development initiative only four years ago has quickly evolved into a leading global technology revolution with its center based in the Hudson Valley,” said Laurence P. Gottlieb, president and CEO of Hudson Valley Economic Development Corporation. “This historic announcement by Stratasys and SUNY

New Paltz will have positive repercussions for the region for decades to come.”

Andrew Winchell, director of operations for New York State Senator John Bonacic, attended the HVAMC open house to express continuing support of New Paltz’s 3D initiative on the senator’s behalf. State funding secured by the senator, in addition to a \$10-million NYSUNY2020 grant and investment of institutional funds, will provide the college with a 22,000-square-foot Engineering Innovation Hub to house the 3D initiative and the college’s mechanical engineering program. The Hub is expected to open in the fall of 2019.

The HVAMC provides expert advice on the 3D printing process, materials and design for additive manufacturing to SUNY New Paltz and the Hudson Valley business community. The center’s collection of 3D printers constitutes some of the most advanced technology at any academic lab in the country and is available for the campus and the wider community.

In August, it was announced that the Hudson Valley Technology Development Center and its 11 employees and five engineering interns moved from Newburgh to 180 South St. in Highland. The HVTDC provides consultation and growth services to regional small and mid-size manufacturing and early-stage technology companies, with a special focus on engineering and product development.

“Recruiting talented engineering in-

Continued on page 16

## A Conversation with Laurence P. Gottlieb, HVEDC President and CEO Developing Strategies to Grow the Hudson Valley Region

Continued from page 12

cluster development initiatives because we wanted to take the lead in moving from economic development being specific to a building, a geography, a street corner and elevating it to here is the direction that we believe the economy is going in the Hudson Valley and here are areas where there can be tremendous growth. If you look at the governor’s regional council system and you look at the regional strategies that were developed, those strategies ultimately mirror and match what HVEDC set before those Regional Councils were formed (in 2011). So we take great pride in having in a way set the regional council up, at least in our region (the Mid-Hudson) for success because out of the gate the first few years the number one priority projects were the priorities of our organization. If you look at year one it was the bioincubator space at New York Medical College and year three it was the 3-D Printing Center (at SUNY New Paltz). So you look at those key priority projects they are projects, concepts and are partnerships that we formed ahead of the that strategy being put together by the Regional Council. We don’t want to solely take credit for everything positive that happened in the Hudson Valley, but we certainly take great pride in knowing that we set very important ideas forward that other people also picked up on and moved that ball forward.

**Q:** One of the first growth sectors identified by HVEDC was biotechnology. How important is this sector to the region and are you expecting further growth in the years to come from biotech-related firms?

**Gottlieb:** Biotechnology is a fantastic economic development tool because for every scientist job, you get five other jobs—you get three professional and

two non-professional positions. For example, law firms that are adding IP attorneys have grown significantly. Biotech growth has affected businesses up and down the line—catering firms, hotels are now filling rooms with business trips from folks that are visiting Regeneron Pharmaceuticals, Acorda Therapeutics, Pfizer and other life science companies in Rockland County. You have biotech firms peppered throughout the Hudson Valley. So, the more science jobs you bring in, you are going to get those other jobs in support of those science jobs. Just take Regeneron for example; the company has built a million square feet of space (in Westchester County) over the past few years. Think of all the construction jobs that went into building those properties. Think of all the support services jobs that have been added to that...

Conceptually the idea of NY BioHudson Valley was to bring together previously disconnected resources. Each county said I have a firm here, I have a school here, I have some resources here, but when you look at it at a 60,000-foot level as a region that is an attraction tool because people say I want to be co-mingled with these other companies.

**Editor’s Note:** Gottlieb noted that the Hudson Valley has more than 80 biotech companies doing business in the region and has some of the largest biotech firms in the country. He said a major potential for growth of biotechnology in the Hudson Valley is not just the addition of new biotech firms, but also spinoffs of existing companies. Gottlieb added, “I don’t think people truly and deeply understand the potential that is still unlocked within these companies.”

**Q:** Another key sector HVEDC has championed is 3-D Printing. Why is this an important market and where do you

see it heading in the near term?

**Gottlieb:** 3-D Printing’s importance to the region is really two-fold. One, we are generating tomorrow’s workforce and when you do that it attracts companies that need that particular skill set that cannot be easily replicated by a robot or automation and so the skill set in digital design and fabrication, as we have learned, is so critical for so many companies that design products (automobiles, airplanes, clothes, sneakers, and delivery methodologies for pharmaceuticals). But, what they need is a level of engineering and a level of artistry, which is really what 3-D Printing is. It is the fusion of those two skill sets... By creating this center at SUNY New Paltz, we are creating a center for learning for the United States. It is much bigger than the region, it is much bigger than New York State. It is a national model. Schools are coming from across the country and from around the world to learn how to replicate what we have already created at SUNY New Paltz. So from that perspective it has been a huge win for the region.

In addition, SUNY New Paltz and 3-D Printing act as a magnet that draws out entrepreneurs, inventors, consultants and contractors that were hidden from your typical Chamber (of Commerce) or economic development office.

**Editor’s Note:** Gottlieb noted that these firms are now tapping into the Hudson Valley Advanced Manufacturing Center and its 3-D Printing center to eliminate thousands of hours that were formerly required to develop a product prototype and bring a new product to market.

**Q:** HVEDC has also identified food & beverage, health care, education and gaming as growth sectors? Do you expect these industries to continue to

grow in the years to come?

**Gottlieb:** Yes I do. We launched a cluster ‘Hudson Valley EDs & MEDs’ to focus in on the importance of higher education and health care to the continued growth of the Hudson Valley. You cannot turn a corner without finding space being repurposed by a health care organization, company, hospital or private medical group that is expanding. If it has health care in its name it is expanding.

To continue that growth, what is the workforce development engine and what part does higher education play and what is the interplay between the two? In the depths of the recession, the two areas that were growing were health care and higher education. Just look at West Point, which is investing \$500 million in a new science building and they are also re-doing their barracks. West Point is a huge part of the regional economy—that is higher education. At some point health care becomes a much bigger issue—the delivery of health care to members of the military. So if West Point is making that investment, as they become bigger, you have a top-rated medical college here. You also have other colleges here, such as Marist, which now has a Physician’s Assistant program, that are generating a lot of talent. The question is are we also generating at the same time the areas of opportunity for that talent? We are very good in the Hudson Valley in turning out talent; the question is can we be equally as good in retaining that talent? That is the importance of EDs & MEDs. It is retaining talent here in the Hudson Valley by helping those institutions to grow (smart growth) within the region and educating folks as to the importance of the industry.



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## Legoland Moving Forward With Goshen Development

Continued from page 14

hopeful that it can secure all necessary approvals by January 2017 and open the theme park in early 2019. Merlin is seeking a zone change from the Town of Goshen on 153 acres of the 523 acres it controls on a parcel that abuts Route 17 along Harriman Road between exits 124 and 125. Merlin had considered sites all along the East Coast. Merlin was also mulling properties in New Jersey and Virginia before deciding on pursuing the property off Harriman Road.

The developer will initially invest \$350 million in the development of the park and a total of more than \$500 million over the first five years of the theme park and resort. Merlin is looking to secure a total of \$10 million in incentives from the State of New York. A spokesperson for Empire State Development said that \$4.1 million in state funding has been committed thus far to the Legoland project, none of which has been disbursed. It is believed that Legoland has applied for additional state funding this year through the state's Consolidated Funding Application (CFA) process.

In addition, Ussher said that Merlin has met with officials with the New York State Department of Transportation to discuss how best to make improvements to Exits 124 and 125 off of Route 17 to direct traffic most efficiently to the project site. He added that Merlin expects the New York State DOT to fund the necessary road and



The \$500-million Legoland amusement park and resort in Goshen will be geared to children ages two to 12.

bridge upgrades adjacent to its property. The developer is also seeking \$13.5 million in incentives from the Orange County Industrial Development Agency.

Merlin officials estimate the project will generate a total of \$3 million in local taxes and fees each year: \$1 million to the Goshen School district, \$1.5 million to the Town of Goshen and \$500,000 to the county, including other local service fees.

Including annual increases, the taxes and fees will generate approximately \$108 million over 30 years of which \$38.4 million will go to the Goshen Central School District. Over the course of 30 years, LEGOLAND New York will pay \$52.6 million in PILOT payments alone, of which \$38.4 million will go to the Goshen Central School District. LEGOLAND New York would also pay Orange County's hotel tax, generating approximately an additional \$850,000 annually to the county. Sales tax receipts at LEGOLAND New York would generate an additional \$6 million annually, Merlin officials estimated.

The Goshen project is expected to create approximately 800 construction jobs. In a presentation in June before Goshen Town Board members and Orange County officials, Merlin officials stated that the theme park and resort would be built as a prevailing wage project under a Project Labor Agreement with the local building trades. During peak season, the park when operational will create 500 full-time jobs and 300 part-time jobs. The total project would involve approximately 750,000 square feet of construction and will take two years to construct. Members of the building trades have been very supportive of the proposal during initial municipal meetings.

Ussher said Merlin has been pleased with the local community response to the project thus far, although there has been some opposition mobilized on mainly social media.

On Aug. 9, the project cleared a major hurdle when the Village of Goshen Board of Trustees passed a resolution to provide water and sewer service to the proposed LEGOLAND New York theme park. Based on anticipated usage, LEGOLAND New York will pay the village approximately \$900,000 per year once the deal is finalized.

"We are very pleased that the Village of Goshen has confirmed its availability and willingness to supply water and sewer service, which is crucial to the LEGOLAND New York project," said Phil Royle, head of community and project relations for LEGOLAND New York. "This provides important infrastructure needs for us to move forward

## 'Smart Lab'

continued from page 15

terns from New Paltz benefits the center and its clients, as well as the students," said Tom Phillips, HVTDC executive director and a member of the SUNY New Paltz School of Science & Engineering Advisory Board.

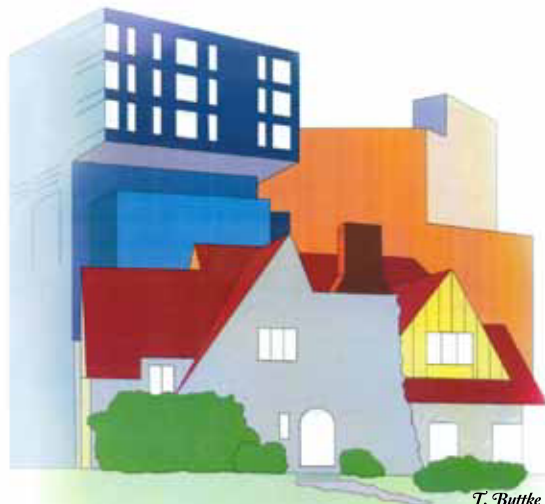
The center's move to Highland, said Phillips, will provide HVTDC better access to the SUNY News Paltz's student talent and resources, including the Hudson Valley Advanced Manufacturing Center, which provides prototyping

work to many of HVTDC's clients.

The move also positions HVTDC to help identify and work with potential clients who might also setup operations in its new location and apply to the college for inclusion in the state's START-UP NY program. A company under the program that occupies vacant space in the same facility will be in close proximity to HVTDC and well positioned to take advantage of the organization's support services.

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Louise has been a top-producing real estate professional for over 30 years. An award-winning sales agent and long-time manager of several top Rockland and Westchester brokerages, Louise has been responsible for mentoring many of the region’s most successful agents. In her role at Douglas Elliman, Louise is responsible for the oversight of the Scarsdale Office and over 40 agents serving the entire southern Westchester marketplace. In addition to her current responsibilities, Louise has been a recognized industry leader and has recently added the role of Vice-President of the Hudson Gateway MLS (HGMLS) for 2016 to her many accomplishments.

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**Mr. Rick Struck**, President and CEO, Rockland Economic Development Corp.  
**Mr. Steven Turk**, President, Turk Hospitality Group/Rocking Horse Ranch  
**Ms. Jill Varricchio**, President, Putnam County Economic Development Corp.  
**Mr. Mark P. Weingarten**, Partner, DelBello Donnellan Weingarten Wise & Wiederkehr LLP  
**Mr. Peter G. Wilcox**, Senior Director of Government Affairs, PepsiCo  
**Ms. Teresita Wisell**, Vice President and Dean of Workforce Development and Community Education, Westchester Community College



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WHITE PLAINS, GOSHEN,  
WEST NYACK, PUTNAM

SEPTEMBER 2016 FEATURED CLASSES

White Plains



THURS SEPT. 15, 2016 11:00 AM - 2:30 PM  
IN PERSON CLASS | CREDITS: 3 CE  
INSTRUCTOR | DON CUMMINS

Lunch & Learn:  
Advertising Guidelines  
Sponsor:

Judicial Title Insurance Agency LLC

- Member Price: \$35
- Class Express: \$25
- Non-Member Price: \$50

Additional Classes:

9/1-(NYSAR) Pricing Strategies: Mastering the CMA with Roseann Farrow  
9/1-After Hours Program starts

Includes:

9/1-Buyer Representation with Gary Leogrande  
9/8-Seller Representation with Gary Leogrande  
9/15-Agency Disclosure with Ralph Ragette  
9/22- Co-Op Sales with Barry Kramer  
9/29- Wills, Titles, Estates with Lou Petralia  
...Continues in October

9/8-NAR Mandated Ethics or (NO CE Credit) with Leah Caro  
9/13-Matrix 1: Intro to Matrix with Kristine DiFrancesco  
9/14-Getting Started as a Property Rehabber & Flipper with Carl Schiovone  
9/14-Getting Started as a Real Estate Investor with Carl Schiovone  
9/21-Matrix 2: The Next Step into Matrix or (NO CE Credit) with Kimberly Ware  
9/28-Truth-in-Lending Disclosure: What Has RESPA Done?! with David Moore  
9/28-Matrix 3: Matrix to the Max or (NO CE Credit) with Kimberly Ware

West Nyack



WED SEPT. 14, 2016 9:00 AM - 5:30 PM  
IN PERSON CLASS | CREDITS: 7.5 CE  
INSTRUCTOR | NICK GIGANTE

Changing Trends in Real Estate: Can You Spare Some Change? plus Fair Housing

- Member Price: \$75
- Class Express: \$65
- Non-Member Price: \$90

Additional Classes:

9/1-Compliance Day with Roberta Bangs  
9/1- Fair Housing Compliance with Roberta Bangs  
9/1-NAR Ethics Compliance or (NO CE Credit) with Roberta Bangs  
9/22-NAR Mandated Ethics or (NO CE Credit) with Sharon Tucker

PUTNAM



THUR SEPT. 22, 2016 9:00 AM - 12:15 PM  
IN PERSON CLASS | CREDITS: 3 CE  
INSTRUCTOR | CARL SCHIOVONE

Getting Started as a Real Estate Investor

- Member Price: \$40
- Class Express: \$30
- Non-Member Price: \$50

9/16-NAR Mandated Ethics or (No CE Credit) with Don Cummins  
9/22-Getting Started as a Property Rehabber & Flipper with Carl Schiovone

Goshen



THURS SEPT. 8, 2016 9:00 AM - 5:30 PM  
IN PERSON CLASS | CREDITS: 7.5 CE  
INSTRUCTOR | EDWARD S. SMITH, JR.

All About Commercial Leases

- Member Price: \$75
- Class Express: \$65
- Non-Member Price: \$90

Additional Classes:

9/1-Matrix 1: Intro to Matrix with Kristine DiFrancesco  
9/8-Commercial Real Estate BUNDLE with Edward S. Smith, Jr.  
Includes: (featured class and the following)  
9/15-Commercial Green Course with Edward S. Smith, Jr.  
9/22-Selling Commercial/Investment Properties + F.H. with Edward S. Smith, Jr.

9/13-(NYSAR) GRI-7: Property with Nancy Mosca  
9/20-Matrix 2: The Next Step into Matrix or (NO CE Credit) with Kristine DiFrancesco  
9/27-Matrix 3: Matrix to the Max or (NO CE Credit) with Kristine DiFrancesco  
9/29 & 9/30-(NYSAR) - (SRES) Seniors R.E. Specialist with Roseann Farrow

For details and registration go to [www.HGAR.com/Education](http://www.HGAR.com/Education) (not HGAR.com)

CALENDAR

AUGUST

Monday, 22, - Tuesday, 23  
NAR Leadership Chicago  
Chicago, IL

Wednesday, 24  
RPAC Happy Hour and  
HGAR 100th Anniversary  
Celebration (Orange)  
Billy Joe's Ribworks  
26 Front St. Newburgh, NY

Friday, 26  
Member Experience Committee  
11:00 a.m. - 12:00 p.m.  
White Plains

SEPTEMBER

Monday, 5  
Labor Day Holiday  
HGAR Offices Closed

Wednesday, 7  
HGAR Board of Directors Meeting  
10:00 a.m. - 12:00 p.m.  
White Plains

Wednesday, 14  
HGMLS Board of Directors Meeting  
10:00 a.m. - 12:00 p.m.  
White Plains

Thursday, 15  
HG Realtor Foundation Gala  
Glen Island Harbor Club  
6:00 p.m. - 11p.m.  
New Rochelle, NY

Thursday, 22  
CID Meeting  
TBD  
9:30 a.m. - 11:30 a.m.

Friday, 23  
Communications Council Meeting  
11:00 a.m. - 12:00 p.m.  
White Plains Office

Sunday, 25 - Wednesday, 28  
NYSAR Fall Business Meetings  
Turning Stone, Verona, NY

Friday, 30  
Member Experience Committee  
11:00 a.m. - 12:00 p.m.  
White Plains





# Victory for Realtors As Condo Legislation Is Signed Into Law

President Obama has signed Condo legislation that was approved by both houses of the Congress, into law. This is a big victory for Realtors as well as for future buyers as purchasing a condo is often a more affordable housing option.

The new law mitigates current FHA regulations surrounding existing condominium projects, including streamlining project certification rules and reducing owner-occupancy requirements. Easing restrictions will assist first-time homebuyers as well as condo owners who want to sell their condo and move up to a single-family detached home. HUD will publish a notice to get the condo provisions moving as soon as possible. The owner occupancy rate for condominium communities will go from 50% down to 35%.

There also provisions related to private transfer fees wherein a fee is charged to the new buyer. Oftentimes

these fees go to developers. Fannie Mae and Freddie Mac rules state that private transfer fees are allowable when passed on to the association for upkeep of the property and not to a developer. The law also directs the FHA to have the same rules for private transfer fees as does the FHA. The bill also modifies rules for leasing to people with Section 8 vouchers and makes that process easier.

The changes affect commercial space and smart growth initiatives by allowing a lender approval of the property if it is above a 25% commercial space threshold. Currently the FHA prohibits that. The legislation will also shore up the rural assisted housing program.

"Condominiums often represent an affordable option that's just right for first-time and low-to-moderate income home buyers," said National Association of Realtors President Tom Salomone. "Overly

burdensome restrictions on condo financing have for too long put that option out of reach for many creditworthy borrowers. This legislation meets those restrictions head on, putting the dream of home ownership back in reach for more Americans."

More than 100,000 Realtors responded to a call for action from NAR. Sen. Tim Scott (R-SC) and Sen. Robert Menendez (D-NJ) co-sponsored the legislation. Rep. Blaine Luetkemeyer (R-MO) and Rep. Emanuel Cleaver (D-MO) co-sponsored the House version, which passed on Feb. 2.

The law will also streamline inspection requirements in the Housing Choice Voucher Program, and will allow voucher holders to move into their units more quickly. The changes will level the playing field for voucher holders who are competing with market-rate renters who can move into a unit

immediately and allows the contract terms of HUD's Section 8 Project Based Housing Choice Voucher program to be extended from 15 to 20 years. This will help facilitate the use of project-based vouchers within Low Income Housing Tax Credit properties and protect Section 8 Housing Choice Voucher residents from displacement due to fluctuations in the Fair Market Rent, which determines payment standard amounts for the voucher program. This protects voucher holders from economic factors beyond their control and allows owners to retain good tenants.

If you have any questions on the new law please call me at (914) 681-0833. Thank you to all the Realtors who responded to the call for action.

*Legislative Affairs columnist Philip Weiden is the Government Affairs Director for the Hudson Gateway Association of Realtors.*

## LEGISLATIVE AFFAIRS

By Philip Weiden  
Government Affairs Director for the  
Hudson Gateway Association of Realtors



# Getting to Know Your Local Court System

The word "court" sends shivers down the spine of most mortals. Images come to mind of gavels, men and women dressed in black robes, tightly packed rooms ordained with antique wood, bronze busts, and oil paintings of powerful jurists from days long ago. It can provide enough fodder for an intriguing Hollywood screenplay, and often does so. The purpose of this article is to acclimate the Agents and Brokers of the lower Hudson Valley to their local court system, with the intent that they will be better informed as to its jurisdiction and functions.

We start with the federal system. Below the U.S. Supreme Court located in Washington D.C. are a total of 13 U.S. Courts of Appeals. They are divided into Circuits based on location, with the exception of the U.S. Court of Appeals for the Federal Circuit, situated in the nation's capital. New York rests in the U.S. Second Circuit Court of Appeals, along with its sister states of Vermont and Connecticut. The U.S. Second Circuit Court of Appeals is an intermediate court, which hears appeals, and does not operate as a trial court. There are a total of 94 federal judicial districts in the nation. Those judicial districts operate at the trial court level. The United States District Court for the Southern District of New York encompasses the counties of New York, Bronx, Westchester, Rockland, Putnam, Orange, Dutchess, and Sullivan and draws jurors from those counties. Cases in this federal judicial district are heard at courthouse locations in Manhattan, White Plains and Poughkeepsie.

Federal courts are generally said to have "federal question" jurisdiction, which means that federal courts will hear cases that involve issues touching on the Constitution or other federal laws. The source of "federal question" jurisdiction can be found in the Constitution. Article III states that the "judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and Treaties made, or which shall be made, under their Authority."

Federal law also authorizes federal courts to hear cases where the oppos-

ing parties are citizens of different states. This is known as "diversity jurisdiction," because the plaintiff and the defendant have different, or diverse, state citizenships. "Diversity jurisdiction" enables a federal court to hear cases where there is not a federal question. In diversity cases, the federal court provides a fair forum where citizens of different states can have their cases heard. The federal law governing diversity jurisdiction states that a case must have an "amount-in-controversy" of \$75,000 or more before a federal court can hear a case.

Yet another local federal court is the United States Bankruptcy Court for the Southern District of New York, which serves the counties of the Bronx, Dutchess, New York, Orange, Putnam, Rockland, Sullivan, and Westchester. It also has concurrent ("simultaneous") jurisdiction over cases arising out of Greene and Ulster. This court tries cases at locations in Manhattan, White Plains, and Poughkeepsie. The U.S. Bankruptcy Court is the only venue by which bankruptcy debtors may file under the United States Bankruptcy laws, which were enacted under Title 11 of the United States Code. Also worth noting is that there does not exist at present a local venue of the U.S. Tax Court, a court whose mission is to provide a national forum to resolve disputes between taxpayers and the Internal Revenue Service. The only location for that particular court is in Washington D.C.

Now we shall examine the more intricate New York State court system. For administrative purposes, the court system is divided geographically into four judicial departments and 13 judicial districts. Just as with the federal system, cases begin at the trial-court level. In New York City, the Civil Court of the City of New York decides lawsuits involving claims for damages up to \$25,000 and includes a small claims part for cases involving amounts up to \$5,000 as well as a housing part for landlord-tenant matters. The Criminal Court of the City of New York handles misdemeanors (crimes punishable by fine or imprisonment of up to one year) and lesser

## BARRISTER'S BRIEFING

By Leon Cameron, Esq.



offenses. Criminal Court judges also conduct arraignments (initial court appearances following arrest) and preliminary hearings for felonies (crimes punishable by imprisonment of more than one year).

Outside of New York City are District Courts, which are only located in Nassau County and the five western towns of Suffolk County, arraign defendants accused of felonies and handle misdemeanors and lesser offenses as well as civil suits involving claims up to \$15,000. Also outside of New York City, City Courts arraign defendants accused of felonies and handle misdemeanors and lesser offenses as well as civil suits involving claims up to \$15,000. Some City Courts have small claims parts, handling civil matters up to \$5,000, and some also have housing parts handling landlord-tenant disputes.

Town and Village Justice Courts handle misdemeanors and lesser offenses. Although the County Courts try felony cases, town and village justices first arraign defendants in Town and Village Courts. Town and Village Courts also hear civil suits involving claims up to \$3,000. County Courts, located in each county outside New York City, have exclusive authority to conduct trials in felony matters, while sharing authority with local City and Town and Village Courts to handle trials in misdemeanor cases and other minor offenses. County Courts also have limited authority over cases involving claims for money damages up to \$25,000.

Supreme Courts generally hear cases outside the authority of the lower courts, such as civil matters involving higher dollar amounts; divorce, separation and annulment proceedings; and criminal prosecutions of felonies. (Outside New York City, Supreme Courts hear civil matters while the County Courts hear criminal matters). Family Court hears matters involving children and families including adoption; guardianship; foster care approval and review; juvenile delinquency; family

violence; child abuse and neglect; and child support; custody and visitation. Surrogate's Court hears cases relating to individuals who have passed away, including the validity of wills and the administration of estates. These courts are also authorized to handle adoptions.

At the Appellate level, the Appellate Terms of the Supreme Court in the First and Second Departments hear appeals of decisions in cases starting in the New York City Civil and Criminal Courts. In the Second Department, the Appellate Terms also hear appeals of decisions in cases that started in the District, City or Town and Village Courts. The County Courts in the Third and Fourth Departments, while primarily trial courts, hear appeals of decisions in cases starting in the City Courts and Town and Village Courts. There are four Appellate Divisions of the Supreme Court, one in each judicial department. The Appellate Divisions hear civil and criminal appeals from the trial courts as well as civil appeals from the Appellate Terms and County Courts.

New York's highest court is the Court of Appeals. The purpose of this court is to hear civil and criminal appeals from the state's intermediate appellate courts, and in some cases directly from the trial courts. The Court of Appeals also hears appeals of decisions reached by the State Commission on Judicial Conduct. Furthermore, the Court of Appeals makes rules governing the admission of attorneys to the New York State bar. Janet DiFiore, former Westchester County District Attorney, is presently the Chief Judge of the Court of Appeals.

Statewide, the New York State Court of Claims is the exclusive forum for civil litigation seeking damages against the State of New York or certain other State-related entities such as the New York State Thruway Authority, the City University of New York, the Olympic Regional Development Authority, the Roswell Park Cancer Institute Corporation

Continued on page 21



# The Latest on Windows 10 Anniversary Update, Lynda.com, and Wireless Headphones for Sleeping

The "Windows 10 Anniversary Update" is Microsoft's latest update to its Windows 10 operating system. This update has already been released and for most Windows 10 users, it will become available through Windows 10's built-in "Windows Update" service. The Anniversary Update is being rolled out in stages and those who have newer computers are likely to receive the update before those who have older computers.

The Windows 10 Anniversary Update is a large update and therefore I would recommend that you do a full backup of your computer system before you install it.

I'm not sure how fast the rollout of the update will be, but if you haven't received access to the update by the time you read this, the following links will direct you to some blogs/articles that will help you to learn more about the update and how you can get it without having to wait any longer.

Blog post/article from Windows.com that highlights the new Windows 10 Anniversary Update

<https://blogs.windows.com/windowsexperience/2016/08/02/new-video-series-this-week-on-windows-highlights-windows-10-anniversary-update/>

Blog post/article from makeuseof.com titled "Get Windows 10 Anniversary Update Now"

<http://www.makeuseof.com/tag/get-windows-10-anniversary-update-now/>

## Library Card Access to Lynda.com's Educational/Training Videos!

I've mentioned the amazing Lynda.com service in one or more of my previous columns. If you are not familiar with Lynda.com, I encourage you to take some time out to visit and explore the Lynda.com site. As you explore, I'm confident that you will identify a number of topics/courses that will interest you. If that ends up being the case, go ahead and take advantage of the service's 10-day free trial. However, before the free trial ends and before you consider signing up for a subscription to the service, please first check to see if a local library might offer you free access to all or part of the Lynda.com service. With a little luck, you may learn that you can gain free access to some or all of the Lynda.com service by using a library card! I successfully accessed the Lynda.com service by using the library card that I obtained from the White Plains Public Library. If you live, work, go to school, or own property in Westchester County you should be able to obtain a library card that will enable you to gain access to the Lynda.com service.

Once you have a library card from a Westchester library that is a member of the Westchester Library System, you're likely going to be able to successfully gain access to Lynda.com by visiting the following web page...

<https://www.lynda.com/portal/sip?org=westchesterlibraries.org>

For a list of libraries that are members of the Westchester Library System, please visit the following web page...

<http://www.westchesterlibraries.org/about-wls/member-libraries/list-of-member-libraries/>

## Migrating From Evernote to Microsoft OneNote

Those who have been using the very popular and free version of the Evernote service/app recently learned that they had to upgrade to a paid service plan if they wanted to be able to continue to sync their Evernote information across more than two devices. Depending on one's situation and needs, upgrading to a paid version of the Evernote service may, or may not make sense. Those who decide against upgrading may want to look at alternative note taking/management/syncing apps. For many, Microsoft's OneNote product is a good alternative to Evernote. To learn more about OneNote, simply visit Google.com and/or YouTube.com and do a search using "OneNote 2016 tutorial" as your search criteria/search phrase. If you end up deciding to switch from Evernote to OneNote, the following link will bring you to a data migration tool that will help you get your notes out of Evernote and into OneNote...

<https://www.onenote.com/import-evernote-to-onenote>

## Wireless Headphones for Sleeping

If you've ever tried to wear/use normal headphones or earbuds in bed, you've likely discovered that they're just not comfortable to use when lying in any position other than being flat on your back. Fortunately, if you search hard and smart enough you can find a few headphone products that are specifically made for use while in bed. Another issue that's problematic about headphone use in bed is dealing with the headphone cord that often gets in the way as you toss and turn while listening. The following link will lead you to a wireless headphone solution that is specifically engineered for use while in bed/sleeping and since it is wireless. It also eliminates the cord problem mentioned above. (However, it introduces a new problem of remembering to keep the headphones charged...nothing's perfect...sigh)...

<http://www.sleepphones.com/product/sleepphones-wireless>

## Reminders

This column (and many previous ones) are made available for your viewing con-

# Getting to Know Your Local Court System

Continued from page 20

and the New York State Power Authority (for eminent domain claims only). The Court of Claims has no jurisdiction over any city, county or town government, or over any individual defendant. The only location of the New York State Court of Claims is in Albany.

For those of you keeping score at home-if are reading this while in either Westchester, Rockland, Orange or Putnam counties-you are under the federal jurisdiction of the U.S. Second Circuit Court of Appeals and the United States District Court for the Southern District of New York. At the state level, you fall under the 9<sup>th</sup> Judicial District and Second

Judicial Department.

With the aforementioned descriptions of the functions and jurisdiction of the local court system (at both the federal and state levels) Agents and Brokers should feel better informed if they find themselves to be a party to litigation.

*Editor's Note: The foregoing article is for informational purposes only and does not confer an attorney/client relationship. For a legal opinion specific to your situation, please consult a private attorney.*

*Leon Cameron is Director of Legal Services & Professional Standards Administrator for the Hudson Gateway Association of Realtors.*

## TECH TALK

By John Vrooman  
john@johnvrooman.com



venience and reference at [www.realestateindepth.com/technology](http://www.realestateindepth.com/technology) (The "Technology" section of the new *Real Estate In-Depth* website.)

If you have comments, suggestions, tips, questions or just want to say "Hi," you are invited to contact me at [john@johnvrooman.com](mailto:john@johnvrooman.com). I always enjoy hearing from you!

*John Vrooman is an experienced Realtor who enjoys staying on top of real estate, technology, gadgets, marketing, new media and small business trends/developments. John curates information from a diverse range of resources and enjoys sharing tips, thoughts and discoveries with others—using a "something for everyone" approach. He is an Associate Broker with Better Homes & Gardens Rand Realty's White Plains, office.*

## New Members

Continued from page 10

Arturo Castaneda  
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Lauren Colasacco  
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Lizzie R. Reyes  
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BHG Rand Realty, Nyack  
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Cynthia Pages  
Keller Williams Realty Group, Scarsdale  
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\*Indicates individual holds current membership and is opening up as a new firm as Broker/Owner.  
\*\*Indicates individual will hold Secondary Membership.

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## Debunking the Myth:

Continued from page 1

more people across all age cohorts—including Millennials—are still migrating out of cities and to the suburbs.”

He continued, “Looking ahead, the evolution of commercial real estate markets will transcend the traditional lines of downtown vs. suburban, or Millennial vs. Boomer. The story is more nuanced and evolving in ways that create hybrid environments. For example, in many markets, suburban areas with urban characteristics are thriving.”

According to the latest U.S. Census data available, approximately 30% of Millennials live within urban areas. The other 70% do not appear to be rushing to move downtown. In 2014, 529,000 people between the ages of 25 and 29 moved from cities to the suburbs, while only 426,000 moved in the opposite direction. For younger Millennials 20 to 24 years old, the flow’s direction was even more pronounced, with 721,000 moving out of cities for the suburbs and 554,000 leaving the suburbs to pursue life in the city. Among the oldest Millennials and the tail end of Gen X, negative net migration was even greater: 1.2 million people aged 30 to

**“Millennials are among our key target markets. We believe that the blend of suburban and urban characteristics that are already present in New Rochelle and that we are trying to enhance through our downtown development plans will make our community especially attractive to Millennials.”**

**—New Rochelle Mayor Noam Bramson**

44 moved from cities to suburbs, while 540,000 did the reverse, according to the CBRE report.

CBRE’s Mellott stated in the report that during the first half of 2016, almost two-thirds of suburban office markets outperformed their local downtown counterparts when looking at share of net absorption relative to market size. That is not the case when comparing Westchester County, which sports an office vacancy rate of 22.8%, according to brokerage firm JLL at the end of the second quarter, as compared to New York City, whose vacancy rate stood at 9.9%.

*Real Estate In-Depth* interviewed some prominent Realtors as well as municipal officials on whether Millennials are beginning to choose locations in Westchester, particularly near mass transit and suburban downtown districts to avoid or escape the high cost of housing in New York City.

New Rochelle Mayor Noam Bramson said the city, after approving a rezoning of its Downtown district and an expedited approval process last December, is seeing a huge uptick in new residential development projects, many of which are geared to attracting Millennials, as well as empty nesters.

“Millennials are among our key target markets. We believe that the blend of suburban and urban characteristics that are already present in New Rochelle and that we are trying to enhance through our downtown development plans will make our community especially attractive to Millennials,” Mayor Bramson said.

Recently, RXR Realty’s plan for a 28-story nearly \$150-million apartment tower in the downtown was approved by the city and should commence construction in the fall of this year. Mayor Bramson said he expects RXR to announce its second downtown development project in the Queen City before the end of this year.

The mayor noted that there are other significant downtown projects in the pipeline, including the Print House project on Huguenot Street, that are being marketed to Millennials.

In fact, in March Megalith Capital Management, a real estate owner and developer in New York City, announced it had acquired the Print House development site at 165 Huguenot St. in partnership with East & Hudson Real Estate.

Phil Watkins, principal of Megalith, in announcing the purchase, spoke of the Queen City’s allure to Millennials. “With rents in Manhattan continuing their dramatic increase, Millennials especially are looking for affordable alternatives that still feature the latest in modern amenities,” Watkins said. “This ground-up rental development project located within 30 minutes of Manhattan is part of a broader investment thesis which focuses on transit-oriented projects located in areas with close proximity to Manhattan.”

The planned six-story, 71-unit luxury rental development with ground floor retail space is projected to be completed within two years. According to the city, the project, which will cost more than \$11 million to develop, has received site plan approval.

Another project in New Rochelle’s Downtown pipeline gives up its hoped-for resident demographic with its name—“The Millennia.” The project, estimated to cost \$25 million to complete, will involve the construction of a six-story, 110-unit residential building with retail at 22 Burling Lane. The project secured site plan approval from the city in July.

The city currently has three additional-mixed use projects in the pipeline in the Downtown District. New Rochelle Commissioner of Development Luiz Aragon told *Real Estate In-Depth*, “The city has met with many developers and property owners that have expressed interest in developing under the DOZ (Downtown Overlay Zone). As a result, we anticipate several more applications in the fall.”

Jonathan Miller, CRE, CRP, president and CEO of Miller Samuel Real Inc. which conducts research and authors Douglas Elliman’s market reports for the New York Metropolitan Area, said he noticed a definite change in the market about a year ago in terms of Millennial housing traffic.

Beginning in earnest in the third quarter of 2015, Miller said his firm noticed “a surge in sales activity in the outlying suburbs in New York City and at the same time we saw sales soften in New York City.” That sales trend has continued up until now. Miller, who researches suburban residential market conditions in Westchester, Putnam, Dutchess, Nassau and, Suffolk counties in New York and Fairfield County, CT, noted the development boom in New York City since the end of the recession has been skewed to luxury rental and for-sale housing. “The lower end or the bottom half of the market is not seeing new supply,” he said, while the city has enjoyed record level job growth over the past few years that has created the largest labor

Continued on page 24

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# NAR Says Consumers Win With Proposed 'Know Before You Owe' Rule Changes

WASHINGTON— Since the October 2015 implementation of the Consumer Financial Protection Bureau's "Know Before You Owe" mortgage initiative, Realtors have raised red flags over challenges in gaining access to the mortgage "closing disclosure" form, or CD. The CD is delivered to homebuyers in advance of their closing and contains important financial information related to their purchase.

Unfortunately, many lenders have chosen to withhold this document from real estate agents since "Know Before You Owe" went into effect, despite a longstanding tradition of sharing similar information.

Earlier this year, the Consumer Finance Protection Bureau announced that it was considering changes to Know Before You Owe—also known as the TILA-RESPA Integrated Disclosure, or TRID—including a clarification of the rules regarding sharing the CD.

On July 28th, the CFPB made good on that promise when it announced a proposed rule on TRID, and stated in its announcement that "the Bureau understands that it is usual, accepted and appropriate for creditors and settlement agents to provide a closing disclosure to consumers, sellers and their real estate brokers or other agents."

The National Association of Realtors believes this announcement marks significant progress for consumers, as well as for its members. Giving Realtors access to the CD would strengthen consumers' understanding of their mortgage and home purchase by helping agents continue to provide expert advice to their clients.

NAR President Tom Salomone said in a statement, "Realtors have reported challenges gaining access to the Closing Disclosure ever since TRID went into effect, despite a long history of access to the substantively similar HUD-1 that it replaced. Today the CFPB acknowledged that concern by making it clear that it is appropriate and accepted for creditors and settlement agents to share the CD with consumers, sellers and their real estate agents."

He added, "This is a significant victory that will help Realtors continue to provide the expert service their clients have come to expect. We appreciate the CFPB's willingness to reconsider the TRID-related challenges our members face and will continue to monitor the progress on this important issue in the months ahead."

The Mortgage Bankers Association seems to be taking more of a wait and see approach to the proposed new regulations. MBA President and CEO David H. Stevens also released a statement in connection with the Consumer Protection Financial Bureau's proposed updates to the TILA-RESPA Integrated Disclosure "Know Before You Owe" rule.

Stevens stated, "MBA appreciates the CFPB's efforts to update and clarify certain aspects of the 'Know Before You Owe' rule. This particular regulation has a big impact on both borrowers and lenders, so it's important that the bureau and stakeholders continually reassess the implementation process to ensure its effectiveness. We look forward to commenting on the rule, and continuing to work with the CFPB to gain further clarity in order to improve this and other rules and regulations."

The CFPB said in its announcement that the proposals under consideration would overhaul the debt collection market by capping collector contact attempts and by helping to ensure that companies collect the correct debt.

Under the proposals being considered, debt collectors would be required to have more and better information about the debt before they collect. As

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**—NAR President Tom Salomone**

they are collecting, companies would be required to limit communications, clearly disclose debt details, and make it easier to dispute the debt. When responding to disputes, collectors would be prohibited from continuing to pursue debt without sufficient evidence. These requirements and restrictions would follow the debt if it were sold or transferred. The bureau's proposals under consideration would overhaul debt collections from when third-party collectors first examine their portfolios of debt to their last attempts to collect.

"Today we are considering proposals that would drastically overhaul the debt collection market," said CFPB Director Richard Cordray. "This is about bringing better accuracy and accountability to a market that desperately needs it."

The outline of the proposals under consideration can be found at: [http://files.consumerfinance.gov/f/documents/20160727\\_cfpb\\_Outline\\_of\\_proposals.pdf](http://files.consumerfinance.gov/f/documents/20160727_cfpb_Outline_of_proposals.pdf)

## Debt Collection Protections

Debt collectors are already prohibited by federal law from harassing, oppressing, or abusing consumers. The main law that governs the industry and protects consumers is the 1977 Fair Debt Collection Practices Act. In 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act revised that law, making the bureau the first agency with the power to issue substantive rules under the statute.

The proposals under consideration would increase protections pertaining to third-party debt collectors and others covered by the Fair Debt Collection Practices Act, including many debt buyers. As part of its overhaul of the debt collection marketplace, the CFPB plans to address consumer protection issues involving first-party debt collectors and creditors on a separate track. Specifically, the new protections are aimed at ensuring that debt collectors:

**Collect the correct debt:** Collectors would have to scrub their files and substantiate the debt before contacting consumers. For example, collectors would have to confirm they have sufficient information to start collection, such as the full name, last known address, last known telephone number, account number, date of default, amount owed at default, and the date and amount of any payment or credit applied after default.

**Limit excessive or disruptive communications:** Collectors would be limited to six communication attempts per week through any point of contact before they have reached the consumer. In addition, if a consumer wants to stop specific ways collectors are contacting them, for example on a particular phone line, while they are at work, or during certain hours, it would be easier for a consumer to do that. The CFPB is also considering proposing a 30-day waiting period after



a consumer has passed away during which collectors would be prohibited from communicating with certain parties, like surviving spouses.

**Make debt details clear and disputes easy:** Collectors would be required to include more specific information about the debt in the initial collection notices sent to consumers. This information would include the consumer's federal rights. They would have to disclose to consumers, when applicable, that the debt is too old for a lawsuit. The proposal under consideration would also add a "tear-off" portion to the notice that consumers could send back to the collector to easily dispute the debt, with options for why the consumer thinks the collector's demand is wrong. The tear-off would also allow consumers to pay the debt. The consumer could also verbally

question the debt's validity at any time, and prompt the collector to have to check its files again.

**Document debt on demand for disputes:** If the tear-off sheet or any written notice is sent back within 30 days of the initial collection notice, the collector would have to provide a debt report—written information substantiating the debt—back to the consumer. The collector could not continue to pursue the debt until that report and verification is sent.

**Stop collecting or suing for debt without proper documentation:** If a consumer disputes—in any way—the validity of the debt, collectors would have to stop collections until the necessary documentation is checked. Collecting on debt that lacks sufficient evidence would be prohibited. In addition, collectors that come across any specific warning signs that the information is inaccurate or incomplete would not be able to collect until they resolve the problem. Warning signs could include a portfolio with a high rate of disputes or the inability to obtain underlying documents to respond to specific disputes. Collectors also would be required to check documentation of a debt before pursuing action against a consumer in court. For example, collectors would have to review evidence of the amount of principal, interest, or fees billed, and the date and amount of each payment made after default.

**Stop burying the dispute:** If debt collectors transfer debt without responding to disputes, the next collector could not try to collect until the dispute is resolved. The proposals under consideration also outline information that collectors would have to send when they transfer the debt to another collector so that a consumer does not have to resubmit this information to the new collector.

## Orange Bank & Trust Changes Name Promises Further Growth in Region

MIDDLETOWN—Orange County Trust Company announced recently it changed its name to Orange Bank & Trust Company. With the new name change and signage comes word from bank officials that the bank plans to continue to grow its operations in the region.

The name change supports the bank's strategic plan to remain independent, position itself for future growth and expand its operations regionally with a focus on business banking. Bank customers will notice new signs and materials at all of the bank's locations, while finding the same bankers dedicated to serving their needs through personal relationships.

Orange Bank & Trust marked the introduction of the new name at a recent ceremony at its Middletown headquarters on Dolson Avenue where CEO Michael Gilfeather and Board Chairman Louis Heimbach unveiled the new name and signage.

During a 2015 strategic research and branding initiative, focus groups revealed that, in neighboring counties, the name "Orange County Trust Company" sounded more like an investment house than a full service commercial bank, bank officials stated. The new name eliminates confusion about what Orange Bank & Trust provides to its customers by adding the word "Bank." The bank's new logo emphasizes "Orange" as a reminder of the county where the bank was founded and highlights the bright and positive future that the bank envisions for the region.

"Although our name and logo are changing, we are still the same community-focused bank continuing to deliver top-notch relationship based service to our customers in Orange, Dutchess, Westchester and Rockland counties" said Gilfeather. "Orange Bank & Trust is committed to growth by expand-



**Orange Bank & Trust CEO Michael Gilfeather addressed business leaders and public officials on July 29<sup>th</sup> at the bank's headquarters on Dolson Avenue in Middletown.**

ing geographically and by enhancing the products and services we offer. To that end, we have opened two new branches in Mamaroneck and Mount Pleasant, with more to come. In order to support this growth, we move into the future with one clear, consistent, name and message."

The name change was approved by the Board of Directors on Jan. 22, 2016. In addition, the bank obtained a trademark on the new name.

Orange Bank & Trust now has an asset level of approximately \$900 million. In recent years, Orange Bank and Trust has added branches, expanded into Rockland, Westchester and Dutchess counties and acquired Hudson Valley Investment Advisors to provide wealth management services.

According to its website, in addition to its locations in Orange County (Middletown 3), Montgomery, Chester, Vails Gate, Goshen and Newburgh, the bank also has branch operations in Fishkill, White Plains, New City, Mamaroneck and Mount Pleasant.



## PUTNAM POSTING

By Jennifer Maher



The Business Council of Westchester's Third Quarter 2016 edition of 914INC. magazine has an editorial entitled "Big Ideas From Small Businesses" and a special feature saluting small business in Westchester County. Executive Editor Amy Partridge spelled out the reasons for featuring these businesses, and stressed the importance of small businesses in our daily lives, as well as the "spirit and grit of successful entrepreneurship," including not-for-profit organizations.

Putnam's small businesses, aside from being the backbone of our economy, provide the amenities, services and jobs that make our local community the place that our well-educated and talented workforce are happy to come home to each night. While we certainly hope that our county is able to attract a "big" business to the area, we must realize and respect the fact that creative and dedicated "small business" people are what make our local economy run. They also pay taxes, generate sales taxes that help support all of us, and are the ones who support our local social, recreational and charitable programs.

A stroll through the Villages of Brewster or Cold Spring, the hamlets of Carmel or Mahopac or a stop at one of our many restaurants or public spaces is an opportunity to experience the unique life "rhythm" of Putnam County. We are fortunate to be in such close proximity to the metropolis of New York City, yet live in view of such pristine countryside and/or quaint downtowns. We should

cherish that uniqueness and continue to promote it in any way possible. At the same time, it would do us well to highlight those businesses and organizations that have distinguished themselves in making our communities what they are today. That is what chambers of commerce are all about—giving businesses a chance to be recognized and to keep them on a course of economic prosperity.

### Putnam County Pathways Can Spur Economic Development With Balanced Approach

In 1991, the Greenway Act created organizations like the Hudson River Valley Greenway Communities Council to facilitate the process of creating physical linkages (trails, gardens, etc.) between communities in a planned, coordinated fashion.

Putnam County has long sought to capitalize on that process and developed the Putnam County Pathways initiative to do just that. According to its summary document, the program "provides the strategic framework for protecting environmental resources; sustaining agriculture; reinvigorating hamlets, villages and commercial centers; balancing open space and development; and respecting Putnam's historic and cultural heritage." Strategies have been considered to enhance public awareness, as well as to develop the use of transportation alternatives "such as trailways, tourism promotion activities, and linkage of open space land

## Preserving and Promoting Our Small Business Base

sources where possible."

This "balance" is vital. In the not-so-distant past we saw how the challenge of finding unique ways to support area businesses in an ever-tighter economic climate was met with opposition over green space, bike trails or other areas where environmental concerns were given first priority. Another example—agriculture—the Pathways plan calls for "sustaining agriculture" and promoting agro-tourism. Sustaining a farm is one thing, advocating for the business of agriculture is another. Farms need to be treated like businesses, to find suitable markets and raise/grow their animal or plant products in a timely manner, and efficiently deliver their goods to these markets. These are challenges for farm business professionals statewide, but

even more so in this county.

It is my fervent belief that we need to create a symbiotic relationship between the environmentalist and the economist if Putnam County is going to have a successful future. Nobody wants to see our beautiful county defaced by carelessness or indifference to the concerns of environmental professionals. Still, utilizing our environmental assets is only meaningful to Putnam residents if it involves a tangible economic benefit.

*Jennifer Maher served as the 2015 vice president of the Hudson Gateway Association of Realtors and currently serves as the 2016 vice president of the Hudson Valley Chapter of the New York State Commercial Association of Realtors and chairwoman of the Putnam County Chamber of Commerce.*

### Debunking the Myth:

Continued from page 22

force in the city's history.

He attributed at least part of the surge in home sales in Westchester, Putnam, and other metro suburban markets to renters and homebuyers escaping the city's high housing costs or lack of market rate or affordable housing.

"One of the clearest patterns is that you are seeing renters becoming first time home buyers (in the suburbs) and the demo is heavily Millennial," he said. The locations that are benefiting from this trend are those near train stations, near downtowns or town centers.

The Millennial buyer or renter is attracted to locations close to the Metro North Hudson and New Haven lines, he noted. At present, there hasn't been much price growth in Westchester and outlying suburbs. He expects that may change if the demand for rental and purchase housing continues to be strong in the months ahead, due in part to displaced Millennials.

2016 HGAR President Marcene Hedayati agreed that Millennials are becoming

**"One of the clearest patterns is that you are seeing renters becoming first time home buyers (in the suburbs) and the demo is heavily Millennial."**

**—Jonathan Miller, president, CEO  
Miller Samuel Inc.**

a key driver in the strong home sales market in Westchester County. Hedayati, who is the Principal Broker/Owner of William Raveis Legends Realty, which has offices in Briarcliff, Tarrytown, Irvington and Hastings, said that her agents termed the notion that Millennials are staying in Manhattan and not even considering the suburbs as "bogus."

"They say that the bulk of their buyers are Millennial and they are coming out to the suburbs and that they are definitely a part of the buyer pool—a huge part of it," Hedayati said.

She said mass transit has become a much more important criteria for today's buyers and renters. "Anything that is within walking distance to a town or close to a town by a bike ride or a jog, something like that is going to sell before anything else." Hedayati added that Millennials are not just leaving Manhattan, but also Brooklyn and relocating to Westchester.

Hedayati said that she is not surprised that Millennials have become one of the drivers in suburban buyer and rental demand. Perhaps another influence on the market by Millennials is that the staple "old and charming," which was a hot seller not too long ago, is difficult to sell now unless it is completely renovated and move-in-ready."

J.P. Endres, manager of the New City office for Better Homes and Gardens Rand Realty, said the high cost of housing is definitely bringing Millennials to sections of Westchester County and even locales in Rockland County.

She said that Millennials are interested in properties that offer them more space and are keenly interested in newly constructed homes or developments.

Endres said that rental and for-sale prices in New York City are getting higher, while units are getting smaller and smaller. "They are getting pushed out into the suburbs and in the suburbs they just want new and clean," she said.

She added that in Westchester, new rental housing product is enjoying strong demand from Millennials. One rental property under development in Port Chester, which is being marketed by Better Homes and Gardens Rand Realty, has a waiting list of more than 1,000. Endres said that Rockland County is seeing Millennials from New York City, Westchester and New Jersey looking for lower cost housing. Some of the hot markets in Rockland include: New City, Nyack, and Piermont.

In the sales market, Millennials are looking for new and or move-in-ready and near shopping, and transportation. In many cases, Millennials have come to realize that with the cost of rental housing in the region so high, they can afford to purchase their first home. "They do believe in the benefits of buying and owning," she added.

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# HGAR's Headquarters Grand Opening, July 18, 2016



From left, Harding Mason, Richard Haggerty, HGAR CEO; Congresswoman Nita Lowey; Carol and John Kope



From left, Eydie Lopez, Pamela Jones and Elsa Segwinot



From left, Richard Haggerty, HGAR CEO and Maureen Halahan, president & CEO, Orange County Partnership



From left, Dorothy Botsoe, HGAR President-Elect; Marcene Hedayayi, HGAR President and Richard Haggerty, HGAR CEO



From left, Gary Connolly, Mark Boyland and Drew Kessler



From left, John and Carol Kope, Jill Varricchio, president, Putnam Economic Development, and Phil Weiden



From left, Leon Cameron, Gail Fattizzi and Cynthia and Joe Lippolis



From left, John Ravitz, Business Council of Westchester COO, and Richard Haggerty, HGAR CEO



From left, Barry Kramer, State Assemblyman David Buchwald, Marcene Hedayayi, JoAnne Murry and Phil Weiden



From left, Leah Caro, Barry Kramer and Ann Garti, HGAR COO



From left, Mark Boyland; HGAR President Marcene Hedayayi; Richard Haggerty, HGAR CEO; Ann Garti, HGAR COO; Maryann Terasio; JP Endres; Robert Shandley; and Veronica Meola



From left, Terri Crozier, Pat Palumbo and Myriam Ramos





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## Esplanade Owner Agrees to Pay More Than \$528,000 to Displaced Seniors



A rendering of the new rental apartment tower at the site of the Esplanade Senior Residences in White Plains.

By John Jordan

WHITE PLAINS—The ownership of the Esplanade Senior Residences of White Plains has agreed to pay more than \$528,000 to 139 elderly residents who were allegedly forced from their homes to make way for the development of a luxury rental apartment development there.

New York State Attorney General Eric T. Schneiderman announced the settlement agreement on July 27th between the state and Esplanade of White Plains Venture Partnership, L.P. and White Plains Hotel, L.P., the owners of the Esplanade Senior Residences located at 95 South Broadway and 10 Lyon Place in Downtown White Plains.

The Esplanade ownership secured approval from the City Council of White Plains in early April to move forward on a \$35-million project to undertake an adaptive-reuse project that will convert the senior residence into a 212-unit rental apartment development. There are slated to be 146 units in the main 15-story tower and 66 in the adjoining annex. The project also entails approximately 9,000 square feet of retail/restaurant space for public use on South Broadway, which will replace existing retail space. Also, approximately 9,000 square feet of medical office space currently in the 4 Lyon Place Annex will be split between the two buildings.

In November 2015, the Attorney General stated that the Esplanade owners sent a letter notifying all residents that a “multi-year complete overhaul” of the facility was planned, and that the “enormous level of construction will make it necessary to vacate the building.” The letter was sent in connection with the owners’ plan to repurpose the building from a senior residence to luxury rental apartments that were not restricted to seniors.

Although the plan to vacate and renovate the building was in the works since 2014, the Esplanade owners continued renting apartments to senior citizens—without informing them of the plan, the Attorney General charged. Some residents moved in just weeks before the November 2015 notification was sent.

Attorney General Schneiderman stated that his office launched an inquiry after receiving complaints from Esplanade residents who were “heartbroken and upset when they learned that they would have to move out.” The Attorney General stated in a press announcement, “Residents who moved to the Esplanade in 2014 and 2015 were especially angry that the Esplanade owners had not revealed their plan to repurpose the building. These residents, some of whom chose the Esplanade to be close to their children and grandchildren, believed that they would never have to move again—let alone within such a short time after having moved in.”

In addition to agreeing to make payments to residents who moved in during 2014 and 2015, the Esplanade owners agreed to make smaller payments to residents who moved in earlier. All 139 residents as of November 2015 will receive some payment. A spokesman for the ownership of the Esplanade told *Real Estate In-Depth* that there are currently only two residents that remain of the 145 that resided at the Esplanade at some point last November.

Under the agreement obtained by the Attorney General’s Office, the Esplanade owners will pay \$6,500 to each of the 60 residents who moved into the facility during 2014 and 2015, \$3,250 to each of the 27 residents who moved in during 2013, and \$1,250 to each of the 52 residents who moved in prior to 2013. Payment will be made within 30 days, the Attorney General stated.

Before executing the agreement with the Attorney General’s Office, the Esplanade owners had made payments totaling \$14,382.50 to certain residents as reimbursement or partial reimbursement for moving expenses. Those payments will be deducted from the amount those residents will receive pursuant to the agreement. The total amount Esplanade will pay its residents pursuant to the agreement is \$528,367.50, the Attorney General’s office stated.

“By failing to inform potential residents of their plan to vacate and repurpose the building, the Esplanade owners caused many seniors to suffer undue and unnecessary stress, hardship and expense,” said Attorney General Schneiderman. “This agreement will help the residents cover some of the expenses they incurred in having to make an unanticipated move from a facility where they expected to live out their remaining years.”

The ownership of the Esplanade released a statement in response to the settlement announcement to *Real Estate In-Depth*. The firms stated, “The AG contacted us to discuss the closure. We cooperated fully. No investigation was commenced, and there is no allegation that we acted in any way in contradiction to law or violated any right of any senior. No resident was ‘forced out.’ In fact, we have never even asked a senior to leave, and we have never given a formal notice to terminate any senior’s tenancy.”

The statement continued, “As a result of discussions with the AG, we voluntarily agreed to make payments to the seniors to assist them in their relocation. No fine or penalty is being assessed nor was one ever demanded by the AG. We are comfortable with this result.”

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# Rockland Pub Night Nets Nearly \$4,000 For Hudson Gateway Realtor Foundation

The Hudson Gateway Realtor Foundation added \$3,946 to its coffers, thanks to the donations of more than 75 people who attended a July 25th "Pub Night" at the Hudson Water Club in Haverstraw. This event was the third in a series of successful "Pub Night" happy hour events that have raised more than \$10,000 for the Foundation, which supports charities and non-profit organizations in the lower Hudson Valley. The previous two events were held in Westchester County.



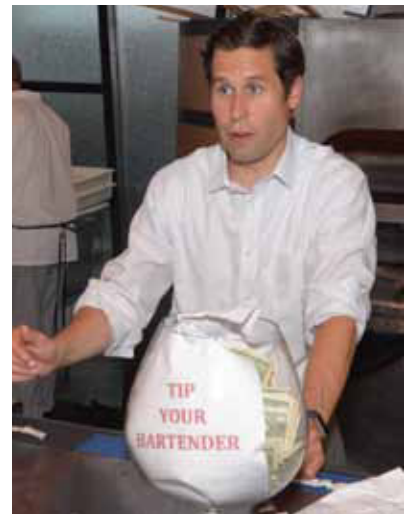
From left, Sander Koujids; Richard Haggerty, HGAR CEO; J.P. Endres, a guest bartender; and Gary Connolly, Director, Multiple Listing Service & Information Systems



From left, Rich Herska, Theresa May, Janet Farsetta, and Rosemarie Petalli



A crowd of more than 75 networked inside the Hudson Water Club.



NYS Assemblyman Kenneth Zebrowski also served as a guest bartender.



From left, Dorothy Botsoe, HGAR President-Elect; Bonnie Koff; Chloe and Molly Jensen



Several HGAR members served as guest bartenders for the pub night at Hudson Water Club in Haverstraw.

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