

County Executives Believe Mid-Hudson Economy on Cusp of Finally Reopening

By John Jordan

WHITE PLAINS—It appears the reopening of the Mid-Hudson economy, which was all but shut down back on March 22 when Gov. Andrew Cuomo put “New York on Pause” to prevent the spread of the Novel Coronavirus, is finally at hand.

After a setback earlier this week, Westchester County Executive George Latimer and Orange County Executive Steven Neuhaus believe the Mid-Hudson is very close to complying with all seven necessary metrics to begin phase one of the reopening of the region’s economy.

Latimer in his daily COVID-19 update

	14-Day Decline in New Hospitalizations OR Under 15 New Hospitalizations (3-day avg)	14-Day Decline in Hospital Deaths OR Fewer than 5 Deaths (3-day avg)	New Hospitalizations Under 2 per 100K residents (3-day rolling avg)	Share of total beds available (threshold of 30%)	Share of ICU beds available (threshold of 30%)	30 per 1K residents based monthly (7-day avg of new tests per day)	Contact tracers 20 per 100K residents or based on infection rate	Metrics Met
Capital Region	4 0 ✓	4 1 ✓	0.40 ✓	38% ✓	54% ✓	1,463 / 1,085 ✓	Expected ★	6/7 ✗
Central New York	0 3 ✓	6 1 ✓	0.82 ✓	43% ✓	50% ✓	1,491 / 775 ✓	Yes ✓	7/7 ✓
Finger Lakes	0 8 ✓	4 1 ✓	1.30 ✓	42% ✓	53% ✓	2,023 / 1,203 ✓	Yes ✓	7/7 ✓
Long Island	37 0 ✓	0 13 ✗	1.07 ✓	31% ✓	37% ✓	4,877 / 2,839 ✓	Expected ★	5/7 ✗
Mid-Hudson	35 0 ✓	4 8 ✗	1.74 ✓	32% ✓	50% ✓	4,358 / 2,322 ✓	Expected ★	5/7 ✗
Mohawk Valley	0 3 ✓	4 0 ✓	1.03 ✓	47% ✓	59% ✓	864 / 485 ✓	Yes ✓	7/7 ✓
New York City	36 0 ✓	35 37 ✗	1.80 ✓	27% ✗	26% ✗	15,806 / 8,399 ✓	Expected ★	4/7 ✗
North Country	25 0 ✓	13 0 ✓	0.00 ✓	46% ✓	68% ✓	982 / 419 ✓	Yes ✓	7/7 ✓
Southern Tier	4 0 ✓	6 0 ✓	0.21 ✓	47% ✓	41% ✓	1,226 / 633 ✓	Yes ✓	7/7 ✓
Western New York	0 3 ✓	6 1 ✓	1.33 ✓	40% ✓	50% ✓	2,009 / 1,381 ✓	Yes ✓	7/7 ✓

on Tuesday, said that in terms of Westchester County’s compliance, “We are as close to opening as we can be, short of being opened.”

In relation to the region, he said, “I would be hopeful that within the next seven days or even sooner we can meet those metrics.” He noted that the num-

bers in terms of the number of hospitalizations, new hospitalizations and other metrics are so close to meeting state requirements, it comes down to the interpretation of the numbers and cases by the state. He said the data definitely points to a reduction in cases, hospitalizations and deaths, but whether the

county and the region complies with a certain metric depends on the subjective interpretation of the data, Latimer noted.

“I think the Hudson Valley, like the other regions of New York State, is moving close to being open. This is the call that the governor and his people make.

It is not my call,” Latimer stressed. “I think we are close. I think we should be over the line very shortly and open up to the first phase (of reopening).”

The first phase of the reopening loosens restrictions imposed back in March

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How Realtors Deal With Stress in the COVID Climate

By Mary T. Prenon

While most Realtors are still dealing with the frustration that the COVID-19 has placed on their industry, some are starting to discover different ways to conduct business and deal with their daily stress.

Virtual cocktail parties and drive-by visits to relatives are now part of the new norm, but Irene Guanill has taken that to a new level. The Broker-Owner of Meet the Sellers in the Bronx recently donned an Easter Bunny costume to pay “socially distanced” visits to families in Pelham Bay, Throggs Neck, City Island and Morris Park. “It actually took me two days, but I visited a lot of neighborhoods, waved to kids and did a little dance in the streets,” she said. “The feedback was amazing and I was so glad to be able to do something to bring smiles to other people and to myself.”



Irene Guanill, of Meet the Sellers, took to the Bronx streets as the Easter Bunny to bring joy to local families during the Easter season.

As president of the Pelham Bay Merchants Association, Guanill offered her “Easter Bunny” visits to anyone who was interested. For Guanill, the biggest frustration now is trying to keep busy, as live listings and showings are still prohibited. “I do a lot of volunteering,” she added, describing her work with New York Cares, delivering food to those who are homebound.

Guanill admits she is fortunate in that she also operates a property management business, which is bringing in income. “I haven’t filed for unemployment yet, but I do plan on applying for a small business loan,” she said.

In the meantime, people are still looking for homes. “I get calls every day from people who want to see virtual tours, but they’re not going to take any action until they can actually see the



Dr. Alec Miller and Dr. Lata McGinn of Cognitive Behavioral Consultants in White Plains.

property,” she said. “Videos just don’t do the property justice—people not only need to see the home, but they also need to have a feeling for it. Most people buy a house because they fall in love with it or have some type of emo-

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Rep. Maloney Tells HGAR a ‘Big Fight’ is Coming on State and Local COVID-19 Aid

By John Jordan

WHITE PLAINS—U.S. Rep. Sean Patrick Maloney (D-NY-18) in a more than 50-minute online session hosted by the Hudson Gateway Association of Realtors recently offered his views on the COVID-19 crisis’ impacts on the real estate industry and how the federal government going forward will be assisting businesses in New York State affected by the pandemic.

The HGAR webinar was held on Friday, May 1 and was hosted by HGAR President Gail Fattizzi; HGAR Legislative Committee Chair Leah Caro; Kathryn

DeClerck, Congressman Maloney’s Federal Political Coordinator; and HGAR Chief Executive Officer Richard Haggerty.

Congressman Maloney noted that thus far there has been approximately \$3 trillion in COVID-19 funding assistance that has been approved by Congress that has been geared to helping business and those unemployed during the ongoing health care crisis.

“I think for the most part we’ve got the right strategy, at least on the economic crisis, it was bipartisan, which is



U.S. Rep. Sean Patrick Maloney

good. I think we’ve got a big fight coming on state and local aid and everybody from our part of the world should care about that a lot,” Rep. Maloney said.

The Congressman said he is hopeful that sometime in the future Congress will re-establish the state and local tax (SALT) deductions, which he noted would help the real estate industry in the Hudson Valley and also serve a means to reinvigorate the economy.

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Rep. Maloney Tells HGAR a 'Big Fight' is Coming On State and Local COVID-19 Aid

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From left, HGAR CEO Richard Haggerty, Kathryn DeClerck, Leah Caro and HGAR President Gail Fattizzi

In terms of the SALT deductions, the Congressman said, "I think we are going to win that fight by the way. Sooner or later we are going to win that fight and we deserve to." He said the victory could come as part of another COVID-related aid package later this year or perhaps after the Presidential election in November.

Rep. Maloney believes the real estate industry will weather the COVID-19 crisis pretty well and noted that the Hudson Valley will likely benefit from those living and working in urban areas seeking to relocate to a more suburban environment.

"I do believe you will see a lot of people appreciate the value of having a property outside of the city and maybe commuting instead of living down there," he said. "And so, for the Hudson Valley folks, there is every reason to believe that your industry can be strong and recover quickly."

In terms of the current state of the nation's response to COVID-19 pandemic and his view on the months ahead, he noted, "I think we have a lot of serious work to do to fully win the fight against this virus," Congressman Maloney said. "But, I do think that we will never be in the position we were in over the last six

weeks where the country found itself on its back foot, overwhelmed by this crisis..."

He noted that the nation and New York State particularly, have made great strides and are now poised to implement mitigation measures on testing, contract tracing and therapies and is now on a path to an expedited path to the development of a vaccine.

The Congressman later said that with those mitigation measures now in the works, along with safe social distancing and PPEs, such as masks likely still being required this fall, the nation should be prepared for a possible second wave

of the virus in the fall.

"I think the worst is actually behind us," Rep. Maloney said. He noted that while the nation will have paid a terrible price, the enormous amount of stimulus funding could lead to a much stronger economy by this time next year.

Congressman Maloney, who is a member of the House Transportation and Infrastructure Committee, predicted that the House will move a major \$1-trillion infrastructure bill in the next six to eight weeks.

The key will be if the proposal can be agreed upon by the House and Senate and later signed into law by President Trump. The bill will be far-reaching and will include investment in ports, mass transit, roads and bridges, he said.

The House T&I Committee will likely mark up the \$1-trillion infrastructure bill in the next several months, but he noted that he does not expect it to be included in the next federal COVID-19 stimulus package.

"Infrastructure is coming and it should come as the next major bipartisan step once we get through this short-term fight on state and local (assistance)," Rep. Maloney predicted.

How Realtors Deal With Stress in the COVID Climate

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tional connection to it."

Ron Garfalo, sales manager for John J. Lease Realtors in Middletown, finds himself on the other side, trying to keep more than 50 agents motivated during the pandemic. "All we can do right now is offer virtual tours and keep in contact with clients and potential clients," he said. "It's definitely frustrating because no one's making any money, and for those who are the sole household provider, it's very difficult."

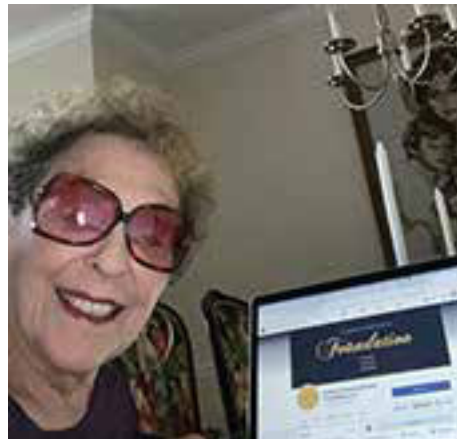
Garafalo continues to hold weekly sales meetings via Zoom teleconference, in addition to scheduling one-on-one phone calls with agents. "The good thing is that when things change and live showings are permitted again, potential buyers will already have their list of homes ready, and sellers will be able to once again open their doors."

His main concern now is making sure all of the agents are healthy and doing the right thing to stay healthy. "I think we all have to stay positive and hope that when this is finally over, there's going to be a demand for both buying and selling," he added. "Overall, communication is crucial. People want to know that other people are here for them."

In light of the pandemic, he has had to cancel all of the planned live fundraising events for the Realtors Political Action Committee (RPAC). Garafalo, along with Carol Christiansen, broker-owner of Café Realty in Mount Kisco, are co-chairing HGAR's RPAC Committee this year. "It's very disappointing, but what choice do we have," he said.

Dr. Lata McGinn and Dr. Alec Miller of Cognitive Behavioral Consultants in White Plains explain that it's normal for people to be upset and uneasy during a stressful time like this. "It does feel unpleasant but that can actually be like an alarm to help us move toward helpful action," said Dr. McGinn. "We can call a friend, set up a video conference chat, watch a comedy or even clean out a closet to help distract us and experience some pleasure. Problems occur when we sit in a pool of emotions and don't take any action."

Dr. Miller added that continued sad-



Bonnie Koff of William Raveis Legends Realty Group works on creative fundraising plans for the Hudson Gateway Realtor Foundation.

ness can eventually lead to depression. "There is a lot of grief out there—so many people are dying, others are getting sick, businesses are shut down and in many cases there's a significant loss of income," he said. "People can feel like there's nothing they can do, but the fact of the matter is that there are still things you can do to feel empowered—even if it's something simple like helping friends and family, donating food, or planning your next trip to the grocery store."

Helping others, they both agreed, is a very powerful anti-depressant. The doctors also suggested balancing your life with healthy eating, exercise and limiting the 24/7 drumbeat of negative stories on television and social media.

Practicing mindfulness for just a few minutes a day is another important step in helping to improve your mood. "Just sit quietly and when your mind starts to wander, bring it back gently," said Dr. Miller. "We also recommend a 'gratitude check'—being mindful about things you are grateful for, even in the face of this pandemic."

For Bonnie Koff, the "New York on Pause" situation has hit home very hard—not just for her business, but for the Hudson Gateway Realtor Foundation Fundraising Committee, which she

chairs. An agent with William Raveis Legends Realty Group in Tarrytown, Koff worries that the cancellation of Foundation "Pub Nights" will mean significant financial losses for the charities that it supports. "I'm an optimist though, and I'm just praying that we can bring back our 'Pub Nights' in the near future," she said.

Referring to herself as a "completely social animal," Koff struggles with being homebound. "I do a lot of e-mail campaigns with clients and potential clients and I'm always on the phone, video chats and social media," she explained.

Koff has already filed for unemployment, and these days she's getting more calls from would-be sellers than buyers. "I'm advising people who want to sell their homes to wait until the 'stay at home' order is lifted," she said. "However, I do give them the option of listing it virtually, using their own photos or having me offer a virtual open house. The bottom line is that buyers will still want to see the home in person." She also had two clients step back from purchasing homes after spouses were furloughed from their jobs.

Meanwhile, she has been busy help-

ing to set up a "Meal Train" of food donations to White Plains Hospital, where her granddaughter works as an Emergency Room nurse. "Rachael calls me every morning after her shift, just to let me know she's OK," said Koff, who always worries about her.

Cognitive Behavioral Consultants offers a quick checklist that people can use to avoid negative thoughts during this pandemic. "First recognize how you feel in a given moment when your emotion is high and then recognize that what you say is having a powerful impact on how you feel," said Dr. McGinn. "Your mind is believing everything you are saying to yourself and triggering powerful emotions. Then come up with helpful thoughts and do the mental exercise of saying them to yourself even if you don't believe it."

Remaining positive that there will be a light at the end of the tunnel, Koff admits she does feel good about the future of her real estate business and the Realtor Foundation. "I'm confident we will get back to normal," she said. "You know, just like Arnold Schwarzenegger always says, 'I'll be back!'"



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Rand Executives Say COVID-19 Will Not Cause A Crash of the Real Estate Markets in Region

By John Jordan

Executives with Better Homes and Gardens Rand Realty and affiliate Rand Commercial say that business is continuing during the health crisis caused by the Novel Coronavirus and that the social and economic impacts, while severe, will not cause a crash in the residential or commercial real estate markets in the Hudson Valley.

Rand executives appeared on online webinar programs on April 30 and May 1 and discussed the current commercial and residential real estate markets and how they think the markets will react once the downstate economy and the real estate markets are allowed to operate in a more conventional fashion.

On April 30, Matt Rand, CEO of Better Homes and Gardens Rand Realty and Paul Adler, chief strategy officer with Rand Commercial, participated in a “Back to Business” webinar presented by the Hudson Valley Economic Development Corp. During the session moderated by HVEDC Chief Executive Officer Mike Oates, Rand discussed the state of the current residential and commercial markets and his views on how the market will respond once the pandemic’s impacts have been minimized and the economy is fully-restarted.

Rand said that his brokerage firm continues to conduct business and has benefited from its agents and others in the transaction process employing creative means to shepherd sales transactions in the pipeline during January and February—prior to the state going on “pause” on March 22—to closing.

He noted that the market was really strong in the first quarter and added “We don’t think there is going to be a real estate market crash even with unem-



Joseph Rand

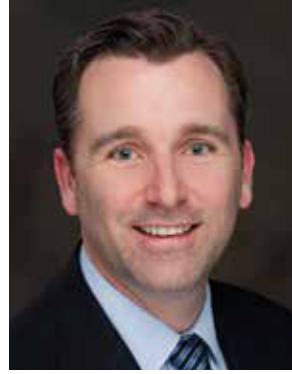
ployment being at high levels, even with mortgage standards being a little tighter, there is still incredible demand both on the commercial and residential sides.”

Rand and other real estate and banking professionals that participated in the two seminars believe that the Hudson Valley will see many New York City residents, including Millennials, and businesses who will be looking to move to the suburbs as a result of COVID-19.

Rand added that in spite of the restrictions, including the state only allowing virtual showings, deals are being done, in part thanks to attorney and banks being creative, and in some cases, establishing temporary tents outside of their offices to allow closings to take place that can accommodate social distancing requirements.

“We’re expecting a strong market,” Rand said. “It is strong right now. On the residential side, a listing in Westchester that comes on the market today is sold tomorrow, sight unseen.”

Adler said that the “new normal” is now and that the commercial real estate market will have to adapt to the increased use of technology, remote of-



Matt Rand

fice usage, as well as continued changes in the retail sector.

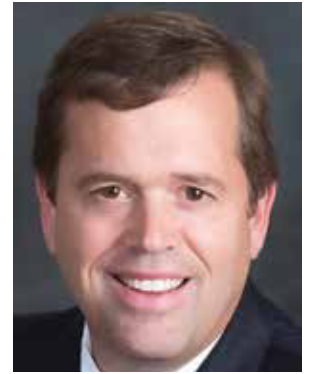
He said that commercial brokers are already seeing an increased interest from New York City-based companies looking to possibly set up operations in the Northern suburbs and that the region should market its many assets, including its health care network, infrastructure and New York Stewart International Airport.

On May 1, Pattern for Progress hosted a webinar entitled “Housing Update: COVID-19 Impacts on the Real Estate Markets.” Moderated by Joe Czajka of Pattern for Progress and the Center for Housing Solutions, the program featured a panel that included: Matt Rand, Joseph Rand, COO, Better Homes and Gardens Rand Realty; Bill Calderara, president and CEO, Ulster Savings Bank; William O’Keeffe, attorney, O’Keeffe & McCann, LLP; Gregory Langer, president, Valuation Consultants and Darren Scott, upstate director of development, New York State Homes & Community Renewal.

Joseph Rand estimated that closings for the month of April 2020 will be 60%



Paul Adler



Mike Oates

of what the Hudson Valley region registered a year earlier. He added that he expects closings in May will slide to 40% of those finalized in May 2019.

He noted that job and investment portfolio losses will definitely impact buyer demand, but also agreed with other panelists that market activity will by no means fall off a cliff.

“I think the buyer demand will come back,” Joe Rand said. “What we have seen so far is that pricing has held up. Sellers are not selling at a discount to get into contract even now in the midst of the epidemic.”

If the phased reopening in New York State moves forward without much disruption and the economy eventually stabilizes, the housing market will rebound as soon as the industry is allowed to go to work in a more conventional manner.

He concluded that residential sales volume will improve in the third and fourth quarters of this year. “I think the housing market has a decent chance of coming back as long as the economy isn’t completely discombobulated,” Joseph Rand predicted.

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PRESIDENT'S CORNER

By Gail Fattizzi, HGAR President



Getting Ready for the 'Next Normal'

I heard this term "the next normal" recently and it immediately resonated with me. Normal is what we get accustomed to, but it is not stagnant. Normal is always evolving and so we move from one version of normal to another...next!

As we continue to work towards defending against and defeating COVID-19, we must be looking ahead. Every person I speak with seems ready for what's next, with hope and optimism that it's far better than where we've been these past couple of months.

"Next" for HGAR and its members holds so much positive potential from my perspective. We started this crisis with making the most immediate and necessary adjustments and decisions. We quickly came to realize that many of these changes would withstand the crisis and better position us for the long-term. As the saying goes, in every challenge lies opportunity.

We have certainly learned a lot in these past eight weeks! We've learned that we should have bought stock in Zoom! 20/20 hindsight aside, "Zooming" has quickly become a verb and the platform is now ubiquitous, like Googling or spamming. We've learned that in many ways and for various industries, working from home can be as or more productive. To an extent, this is even true for real estate, though we all recognize the dire need for those one-on-one in-person showing appointments. We've learned that committee members will be more engaged if they don't have to drive to get to a meeting and that virtual office meetings generate better attendance than live ones.

At HGAR, we are carefully evaluating where we want to be on the other side of this crisis. I respectfully suggest that this is an area that every person give some serious thought to. We want to have learned enough to not slide backwards just because it's what was before. For HGAR, we want to be more nimble. We need to be prepared to pivot on a dime. We need to reach our members where they live, and that's as much metaphoric as it is literal. We have to make sure our value proposition parallels the needs of our members. Our communication, not just during times of crisis, is one of the most vital areas of our relationship with our members. We have discovered new means and venues for engagement and we must continue to expand upon those. Everyone's expectations have changed, and there's no going back.

Some of the changes and initiatives we've effected during the pandemic and plan to continue with, at least in some form, include:

- More online skill and industry-specific training
- Live remote CE classes to replace (for now) or augment in-person classroom training
- Committee, task force and Board of Directors meetings in virtual format
- Getting comfortable with the use of video to convey messages and information
- The launch of our very first Leadership Accelerator program
- Development of online member Toolkits (so far, we have Toolkits completed or in development for Fair Housing, OneKey MLS, Clear Cooperation and New Members)
- Review and updating of our Association's Bylaws to allow us to be more responsive
- Advocacy with local and state lawmakers continues virtually (for now)
- Support of local area non-profits through our HG Realtor Foundation, including online or "distant" fundraising activities and volunteer projects.

The next normal will no doubt also include shifts in the consumer's expectations from us beyond the scope of the pandemic. There will be some new priorities in housing needs including space, location and community. Technology has now become almost everyone's friend. Respect, consideration, compromise and graciousness have an elevated place in our daily lives and dealings.

It's been a rough and a sad time for so many, but I believe that the silver linings and strength of the human spirit will shine their light on a promising next normal. We're ready, bring it on!

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Gail Fattizzi, President

Crystal Hawkins Syska, President-Elect
Tony L. D'Anzica, Regional Director, New York County
Clayton Livingston, Regional Director, Putnam County
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Irene Guanill, Secretary
Richard K. Haggerty, Chief Executive Officer
John Jordan, Editor
Bart D'Andrea, Art Director
John Vecchiolla, Photographer
Meadow Art & Design, Design & Production

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GATEWAY PERSPECTIVES

By Richard Haggerty, HGAR CEO



Patience is a Virtue—Who Ever Said That?

Everyone knows the old proverb that patience is a virtue. However, it's not a virtue I've been able to embrace very easily. At the end of February, the real estate market was chugging along at a brisk pace. We were getting ready to launch OneKey MLS. I was repeating my mantra that change is good and we have to get in front of change and mold change to our benefit. And then the Coronavirus headlines starting to become more prevalent and the cases started to come closer and closer to home. And then we hit the "Pause" button and real estate as we know it stopped.

In many ways the last two months have been busier than ever. HGAR transitioned to a virtual environment in the span of one weekend and our Success Team continues to answer hundreds of phone calls every week. Just this past week we launched a new "chat" feature to enhance our communications with our HGAR family. Our education team led by Director of Professional Development Vicki D'Agostino transitioned all of the scheduled spring classes to a Zoom environment in the span of a week, and they are adding even more classes to the schedule. Committee meetings and Task Forces are now meeting on a regular basis via zoom.

However, while we have transitioned our association to a virtual environment, and while our members are engaging in as many virtual property showings as possible, we also know that real estate has come to a grinding, though hopefully temporary, halt. It's been almost eight weeks since the "Pause" order has been in place, and recently we've seen the benefits. COVID-19 new cases, hospitalizations, and deaths are significantly down. However, for many of us, it has tested our patience. Being confined to a "Zoom" environment with no one on one in-person interactions gets pretty old after a while. Being told that showings must be confined to a virtual environment with no in-person showings is starting to chafe.

When the Pause button was hit back in March, the speculation on recovery time went into overdrive. Many suggested that because the economy was so strong prior the COVID-19 it would be a "V" shaped recovery. The staggering surge in unemployment numbers is casting a bleak shadow over prospects of a quick recovery. Quite frankly, reading all of the pundits' predictions on the length of the current economic downturn is exhausting, and from my perspective pointless until we have more data.

The difficult lesson I am learning is that we have to be patient in those situations when we know it's for the greater good in stopping the spread of COVID-19. As I write this article neither New York City nor the Mid-Hudson Valley have been given the green light for a phased re-opening of the economy. I am being advised that some real estate licensees have lost patience and are engaging in in-person showings, which is in conflict with the Governor's Pause order. Such activities could jeopardize the launch of that green light.

We need to be patient in waiting for the economy to get its footing and start to rebound. We are still in the midst of a worldwide pandemic and we still do not know if there will be a resurgence of the virus later this year, or next. We need to be patient and empathetic with our co-workers, neighbors and friends, many of whom may have been touched by COVID-19. As I said in my article last month, I don't believe life will go back to normal quickly, and indeed we will, in all likelihood, have a new normal where virus testing and containment becomes a way of life until an effective vaccine is developed.

Where we don't have to be patient is how we prepare for this new normal. In my mind virtual is here to stay. How we communicate with our clients and how we negotiate on their behalf could well be changed for good. The types of tools and techniques we use to close a transaction may be very different from pre-COVID-19 to post COVID-19. Now is the time to learn and hone these new skills and embrace what is sure to be a very different real estate environment, and HGAR will offer as many educational opportunities as possible to help our members with this transition.

To all the members of the HGAR family, stay well and stay safe!



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New Fair Housing Regulations Go into Effect on June 20, 2020

LEGAL CORNER

By John Dolgetta, Esq.
HGAR Legal Counsel



During this difficult period, when individuals and businesses are concerned primarily with the personal and economic impact being caused by the COVID-19 Pandemic, it is important that real estate brokers and agents continue keep up with the new legal developments. On Dec. 16, 2019, Gov. Andrew Cuomo announced new regulations, approved by the New York State Real Estate Board, to assist with combating housing discrimination [see <https://on.ny.gov/2Wv44g5> and <https://bit.ly/3bq639H>]. These regulations were a direct result of the *Newsday* investigation which rocked the real estate industry in Long Island as well as the rest of New York. These new regulations are set to go into effect on June 20, 2020 and all licensees need to be aware of these new requirements.

The New Fair Housing Disclosure

Under subsection (a) of Section 175.28, “[a] real estate broker shall be responsible to ensure that each individual licensed pursuant to Article 12-A of the New York Real Property Law and associated with such broker provides to a prospective purchaser, tenant, seller, or landlord upon first substantive contact a disclosure notice furnished by the Department...” This new disclosure (the “Disclosure”) which sets forth references to relevant provisions of the New York State Human Rights Law, also provides the consumer with the necessary information as to how to file a complaint for housing discrimination. A copy of the new disclosure is located on the New York State Department of State website [see <https://on.ny.gov/2Wu05Ar>]. It is incumbent on the broker to ensure that their agents are provided with this new disclosure and that they provide this to all clients upon “first substantive contact.”

The Fair Housing Disclosure May Be Provided Electronically

Section 175.28(b) provides that the Disclosure “...may be provided to a prospective purchaser, tenant, seller, or landlord by any of the following means: e-mail, text, electronic messaging system, facsimile, or hardcopy.” If an agent elects to provide a prospective purchaser, tenant, seller, or landlord with the Disclosure by e-mail or other “electronic communication” which contains a link that directs any such person to the Disclosure, the e-mail or other communication must include text that clearly states the link contains information regarding the New York State Human Rights Law. A licensee cannot relay this information verbally.

The New Disclosure Requirement Applies to All Properties

Section 175.28(c) requires that the Disclosure must be provided to all prospective clients in connection with “...all real property whether or not it is used or occupied, or intended to be used or occupied, wholly or partly, as a home or residence of one or more persons regardless of the number of units, and shall include: condominiums; cooperative apartments; vacant lands, including unimproved real property upon which such dwellings are to be constructed; or commercial properties.” Therefore, all real estate licensees, not only those who deal with residential real property, must be sure to provide the Disclosure and must be aware of the New Fair Housing Regulations. Brokers must be sure to have these forms ready to be disseminated to prospective clients and consumers starting on June 20th.

Section 175.8(d) further requires that any real estate broker, licensed real estate salesperson, or licensed associate broker who provides the Disclosure must obtain and maintain a signed acknowledgment for no less than three (3) years. If the Disclosure is obtained electronically (i.e., by e-mail, text, electronic messaging system, or facsimile), then a copy of it must be maintained for no less than three (3) years as well. If a prospective client declines to sign the disclosure notice, a licensee must “...set forth under oath or affirmation a written declaration of the facts regarding when such notice was provided and shall maintain a copy of the declaration for not less than three years.” This is the same type of oath or affirmation that a real estate licensee is required to obtain when a prospective client refuses to deliver a New York State Disclosure under Section 443 of Article 12-A of the New York Real Property Law [see Section 443(3)(e) at <https://bit.ly/2Asdlx5>].

New Section 175.29: Posting of Fair Housing Laws in Every Office

Under Section 175.29(a), a real estate broker must display a required notice (the “Fair Housing Notice”) at each office and branch office operated by the broker. A copy of the notice can be found on the Department of State website [see <https://on.ny.gov/2xYZYDx>]. The Fair Housing Notice contains the substantive provisions of the New York State Human Rights Law relative to housing accommodations. The Fair Housing Notice provides consumers with the information as to how to file a Human Rights complaint.

Subsection (b) requires that the Fair Housing Notice is “...prominently [emphasis added] displayed in the window of such office and any branch office maintained by such broker if [emphasis added] such broker also provides listings or other postings in the window of such location and must be visible to persons on that portion of the sidewalk adjacent to such office or branch office.” However, Subsection (b) goes on to state that “...[I]f any office or branch office is not accessible from the sidewalk or if postings are otherwise prohibited by any other applicable law...” then the Fair Housing Notice must be posted in the same location where the business license

is posted under Section 441-a of Article 12 of the Real Property Law [see <https://bit.ly/3dJGdIF>].

The Fair Housing Notice is Required To Be Posted on Websites

Section 175.29(c) requires the Fair Housing Notice is posted on “[a]ll websites created and maintained by real estate brokers, associate real estate brokers, real estate salespersons and any real estate team, as such term is defined by Section 175.25 of this title...” The Fair Housing Notice must be “prominently and conspicuously” displayed on the homepage of any website maintained by all licensees, including teams. A link to the Department of State’s Fair Housing Notice must be installed on the homepage and the link should be displayed “prominently,” not hidden or buried on the homepage.

The Fair Housing Notice Must Be Displayed at All Open Houses

Section 175.29(d) further requires that all real estate licensees must display the Fair Housing Notice at all open houses. In addition, all licensees conducting an open house must ensure that the Disclosure required under Section 175.28 is made available for all attendees. Again, it is important to note that unless “first substantive contact” occurs, the Disclosure is not required to be given to all attendees, it just needs to be available for distribution.

New Section 177.9: Video Recording and Record Preservation Required for Entities That Conduct Real Estate Instruction

A controversial part of the new regulations includes a requirement that all courses provided by entities approved by the Department of State must record all courses “...pertaining to fair housing and/or discrimination in the sale or rental of real property or an interest in real property...in its entirety.” Section 177.9(a) requires that both the video and audio be recorded. Subsection (b) requires that the recording be maintained for at least one (1) year after the course was provided to a student. However, “[I]f the entity knows or suspects that the recording is or will be the subject of litigation, then the approved entity shall maintain such recording as required by law.” The recording is subject to any audit of the Department of State.

Fair Housing Regulations Provide Additional Protections and Requirements

It is important for brokers, associate-brokers and licensed salespersons to focus on the requirements of the new Fair Housing Regulations. While it may be difficult to focus on these requirements with everything else that is occurring right now, June 20th will be upon us quickly. All licensees must begin implementing the changes required to be made to their websites and office procedures, so that the Disclosure and Fair Housing Notice are posted and ready to be delivered to their prospective clients as required under the new regulations. While many view the new regulations as burdensome, these regulations are issued with the primary objective of protecting the consumer from discrimination. Ultimately, it is the responsibility of real estate agents to promote fair housing and protect the consumer.

Legal Column author John Dolgetta, Esq. is the principal of the law firm of Dolgetta Law, PLLC. For information about Dolgetta Law, PLLC and John Dolgetta, Esq., please visit <http://www.dolgettalaw.com>. The foregoing article is for informational purposes only and does not confer an attorney-client relationship.

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Majority of Sellers Haven't Lowered Listing Prices

WASHINGTON—More than three in four Realtors (76%) working with sellers reported their clients haven't reduced listing prices to attract buyers, according to a survey released on May 7th by the National Association of Realtors. That's up from 74% who said the same a week ago.

"Nearly 70% of Americans have secure employment and those interested in purchasing homes are looking at the enticing mortgage rates," said NAR Chief Economist Lawrence Yun. "One in five potential buyers have dropped out of the market due to job loss concerns, hopes are the massive financial stimulus package can help replace a good portion of lost income until the economy steadily reopens. More home

sellers are needed to relieve the acute inventory shortage."

NAR's latest Economic Pulse Flash Survey—conducted April 26-27—asked members how the coronavirus outbreak has impacted the residential and commercial real estate markets. Several highlights include:

- Three in 10 Realtors said they were able to complete nearly all aspects of real estate transactions while complying with social distance directives.
- A majority of Realtors—64%—reported buyers are looking for some discounts in home prices.

NAR also recently released its 2020 Realtors and Sustainability Report, which surveyed Realtors about sustainability issues facing the real estate indu-

try. Several highlights include:

- Seven in 10 Realtors said energy efficiency promotion in listings was very or somewhat valuable.
- A majority of Realtors—61%—found clients were at least somewhat interested in sustainability.
- Forty-one percent of homes with green certifications spent neither more or less time on the market.
- The home features clients listed as very important to their agent or broker included a comfortable living space; proximity to frequently visited places; and windows, doors and siding.

"As many families are currently spending more time at home, some are taking on improvement projects involving sustainable features," said

Jessica Lautz, NAR vice president of demographics and behavioral insights. "Some buyers are also deciding to purchase homes with environmentally-friendly components. In both instances, these households look to either reduce utility costs or increase personal comfort within their home."



HGAR's Haggerty Calls for In-Person Showings at Economic Recovery Task Force Virtual Session Event

RYE BROOK—A host of business and non-for-profit executives offered their recommendations on how best to restart the Westchester County economy at a virtual Town Hall meeting of the newly formed Business Council of Westchester's Economic Recovery Task Force.

Formed on April 24, the task force is made up of more than 40 high level leaders from real estate development companies who are part of the BCW's Coalition for Smart Development, as well as representatives from key economic sectors including retail, hospitality, healthcare, biotech, technology, higher education, professional services, finance, insurance, transportation and government.

Marsha Gordon, president and CEO of the Business Council of Westchester, said, "Over the coming weeks and months as Westchester reemerges from the shutdown, we will face daunting challenges. Through a series of sector specific sub-committees, the BCW Task Force will explore specific challenges and promulgate recommendations and programs to the governor and county executive that meaningfully address needs in practical and achievable ways."

At the state level, Governor Andrew Cuomo has formed the New York Forward Re-Opening Advisory Board, which includes members of the BCW as the state pursues a phased plan to re-open New York on a regional basis. Westchester County Executive George Latimer is leading the county government's response, and Westchester Director of Economic Development Bridget Gibbons is a member of the BCW Task Force.

"As we emerge from this crisis it is critically important that we have the strategies and plans in place that will let us hit the ground running," Gordon noted. "We are confident that the impressive group of leaders we have brought together can and will provide the wisdom, insight and creative thinking to enable the creation of constructive and practical plans for moving forward."

Richard Haggerty, chief executive officer of the Hudson Gateway Association of Realtors, shared at the Town Hall session that most aspects of the real estate business are currently being performed on a virtual basis.

With the state moving towards the phased reopening of the Mid-Hudson regional economy in the coming weeks, Haggerty, a member of the task force, called for the state to allow in-person property showings, which he said would help move many properties to closing. He said that the real estate industry could adhere to all necessary safety protocols, including social distancing and limiting viewings to two prospective purchasers at a time during in-person showings.

"At the end of the day, we have a lot of prospective purchasers who want to move to Westchester County and want to bring their tax dollars to Westchester County," Haggerty said. He noted that in 2019 New York State collected more than \$3.2 billion off of real estate transactions. He noted that even if current prospective purchasers enter into contracts to purchase a home in June, it will take another few months before that deal progresses to closing.

"So, the sooner we can get in-person showings so buyers and new residents can move to Westchester, the better off we are all going to be," he added.

Sean Meade, president of the Westchester Hotel Association and general manager of Cambria Suites in White Plains, discussed the beleaguered hotel market in the county that is also suffering from the COVID-19 restrictions. He said the hospitality and tourism sectors are among the hardest hit from the pandemic.

Meade, a member of the Business Council of Westchester's Economic Recovery Task Force, said that consumer confidence needs to be restored for hospitality and tourism to recover. At present, hotels are trying to remain "cash positive so we can continue to operate." He noted that while Cambria Suites and other facilities remain open, a number of other hotel properties in the county have suspended operations until July or August.

"We also need help in marketing, that is going to be a key success factor for us," Meade related. He also called for additional tourism funding to overcome challenges and to get people to feel comfortable once again in traveling to Westchester County.

Longtime Rockland County Clerk Paul Piperato Dies

THIELLS—Rockland County government has confirmed that longtime Rockland County Clerk Paul Piperato passed away on May 6, at the age of 61. At press time the cause of death was not known.

Rockland County Executive Ed Day released the following statement on Piperato's passing: "Today Rockland County mourns. The loss of County Clerk Paul Piperato shows the truth in the phrase, 'only the good die young.' Paul was a dedicated public servant who I originally knew from the non-profit world, having gotten to know each other while serving on the ARC Rockland Foundation Board. You could not find a more genuine or caring individual than Paul, I will always remember the moments we shared together in public service. Particularly when we would take part in Naturalization Ceremonies that were overseen by the Clerk's Office; his joy at witnessing and taking part in new citizens joining our ranks was truly something to behold. May his warmth and kindness stand as a reminder and an example to all of us. Paul, you will be missed."

Assemblymen Kenneth Zebrowski and Colin Schmidt also released statements of condolence on Piperato's passing.

During his tenure in the County Clerk's Office (2005-2020), he was intricately involved with administration of the budget, as well as the development of a state-of-the-art computer imaging system. He was instrumental in the creation of a 24/7 website offering online access to records, downloadable forms, and user-friendly information on application procedures and requirements, and was also responsible for innovative County Clerk services such as the Mobile Passport Service and extended office hours.

He was born on June 19, 1958 in Suffern and was raised in Rockland County, and graduated from North Rockland High School in 1976. He received his Bachelor's Degree in Business Administration from St. Thomas Aquinas College in Sparkill.

He got his start in government in 1988 as a Budget Examiner in the Rockland County Finance Department. He served as Rockland's Deputy County Clerk for 16 years before being elected County Clerk in 2005.

As County Clerk he worked to keep Naturalization Ceremonies in Rockland

County. More recently, he led the Rockland County Clerk's Office to be one of the first counties in New York State to offer eFiling and eRecording. In 2008,



Paul Piperato had been the Rockland County Clerk since 2005.

he started the new and innovative Veteran Discount Program, RETURN THE F.A.V.O.R. This program has since been replicated in 52 other New York State counties.

In 2019 Piperato was honored by Jowanio at its 2019 Harvest Ball with the Jowanio Friends Award for his service to the organization. He recently served as president of New York State Association of County Clerks. He was on both the A.R.C. Foundation and One-to-One Learning Board and is a graduate of the Leadership Rockland Program. In the past, he has served on the boards of the North Rockland Youth Recreation Program and P.A.C.T (Parents and Children Together), a group that advocates for children with special needs. He is a patron member of the Jewish War Veterans, a member of the North Rockland Rotary, Haverstraw Elks, Haverstraw Chamber of Commerce, Sons of Italy Vincent Linguanti Lodge #2212, and the NAACP. He was a coach to the North Rockland Soccer League, the Haverstraw Softball League, and the Haverstraw Police Athletic League. He was also a dedicated to fundraising for the Make-A-Wish Foundation.

A lifelong resident of Haverstraw, he resided with his wife Flora in Thiells. They have three daughters Nicole, Jamie and Danielle, who have all attended Rockland schools.

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U.S. Metro Home Prices Rise in 96% of Metro Areas

WASHINGTON—Nearly all of the nation’s metro areas saw price growth and had minimal inventory increases in the first quarter of 2020, according to the latest quarterly report by the National Association of Realtors.

The Northeast saw an increase of just under 10% in single-family home prices in the region.

Median single-family home prices increased year-over-year in 96% of measured markets in the first quarter, with 174 of 181 metropolitan statistical areas showing sales price gains. That is an increase from the 94% share seen in the fourth quarter of 2019. The national median existing single-family home price in the first quarter of 2020 was \$274,600, up 7.7% from the first quarter of 2019 (\$254,900), according to NAR.

Forty-six metros, mostly in the West and South regions, saw prices increase by double-digits. These areas include Boise City, ID (18.1%), Eugene, OR (14.5%) and Colorado Springs, CO (14.4%), among others.

“The first quarter price jumps mostly reflect conditions prior to the coronavirus outbreak and show the strength of the housing demand prior to the pandemic,” said Lawrence Yun, NAR chief economist. “Even now, due to very limited listings, home prices are showing no signs of buckling.”

In March, the median sales price of existing homes rose 8% on a year-over-year basis. Yun said the strong desire for housing, paired with the dire inventory totals contributed to higher home prices. “Supply is extremely limited, and there are simply not as many homes for sale to meet the demand among potential buyers,” he said. “More supply and more listings are needed to provide a faster recovery for the economy.”

At the end of last quarter, 1.50 million existing homes were available for sale,



10.2% lower than total inventory at the end of 2019’s first quarter. As of March 2020, housing inventory totals were equivalent to 3.4 months at the current sales pace.

Metro areas that were already deemed the most expensive also saw price jumps in the first quarter. In the West region, median sales prices increased from one year ago in San Jose, CA. (\$1,350,000; 10.7%); San Francisco, CA (\$985,000; 5.9%); Anaheim, CA (\$875,000; 9.4%); San Diego, CA (\$670,000; 8.1%); Boulder, CO (622,600; 3.1%); Los Angeles, CA (\$592,800; 8.1%) and Seattle, WA (\$554,400; 11.5%).

“The fast-rising home prices are not healthy, so more homebuilding needs to take place as the economy begins to reopen,” said Yun. “Mortgage rates are at

historic lows and those with secure employment will be attracted to the market.”

Metro areas with year-over-year price declines were marginal, with decreases less than 3%. Those areas include, among others, Bloomington, IL. (-1.8%); Shreveport-Bossier City, LA (-2.1%) and Bowling Green, KY (-2.7%).

Median single-family sales prices were higher across all regions compared to one year ago. The Northeast saw a rise of 9.7%, while the Midwest, the South and the West each had an individual increase of 7.5%.

Lower Mortgage Rates Led to Better Home Affordability

Lower mortgage rates made home

purchases more affordable in both 2019 and in the first quarter of 2020. The 30-year fixed-rate averaged 3.57% in the first quarter of 2020, down from 4.62% one year ago. The average monthly mortgage payment on a 30-year fixed-rate mortgage with a 20% down payment was \$995, down from \$1,048 a year ago. This is equivalent to 15% of the median family income of \$79,662, down from 16.1% one year ago. (Housing expenses are considered a cost burden if the cost is more than 30% of income.)

To afford a typical mortgage payment, a given family needs to spend no more than 25% of income on its mortgage payment (for a 30-year

fixed-rate mortgage with a 20% down payment). The income that is needed for this scenario decreased to \$47,760, down from \$50,304 one year ago.

In 135 of the 181 metro areas, a family needed less than \$50,000 to afford a home in the first quarter of 2020, assuming a 20% down payment. However, in the most expensive metro areas, a given family needed more than \$100,000 to afford a home. This was the case in San-Jose-Sunnyvale-Santa Clara, CA (\$235,179); San Francisco, CA (\$171,593); Anaheim, CA (\$152,431); Urban Honolulu, HI (\$137,414); San Diego, CA (\$116,718); Boulder, CO (\$108,461) and Los Angeles, CA (\$103,270).

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Two of the Largest Commercial Projects in Orange County History Begin Construction

By John Jordan

Site work has commenced on two of the largest warehouse-distribution facilities ever to be built in Orange County.

The two build-to-suit developments in Montgomery for Amazon and Medline, involve nearly 2.3 million square feet of new construction totaling nearly \$200 million in investment.

Developer Bluewater Partners has commenced construction on the 1,015,740-square-foot distribution center for Amazon. The project secured final approvals from the Town of Montgomery and trees have been cleared and site work has been underway at the development that will involve the creation of approximately 1,000 jobs. The project is being built on a site that totals approximately 187 acres of land at 635 International Drive, at the intersection of Route 17K and Route 747.

The Montgomery Industrial Development Agency granted a 15-year PILOT

Continued on page 20



A rendering of the new Medline facility in Montgomery.

Westchester Dedicates 'Ribbons of Remembrance' To COVID-19 Victims

YONKERS—In a ceremony that took place on a location that overlooks the Hudson River and the Palisades at Lenoir Preserve, Westchester County officials on May 6 dedicated a new memorial—the Ribbons of Remembrance—for the more than 1,100 Westchester County residents who have lost their lives to COVID-19.

The memorial is a short walk away from the Lenoir Preserve parking lot in front of the Wightman Mansion. Ribbons and permanent markers will be available at the memorial. Visitors are encouraged to write the name of someone they have lost on the ribbon and tie it to one of two trees or the rope structure.

Visitors are asked to drop used permanent markers in the designated bin to be properly disinfected by parks staff.

Westchester County Executive George Latimer said, "We need within our culture certain social points where we can come together. We have all lost people that we know and love through this process. This is a chance to do something tangible to remember that person in those quiet moments, when it's you, the remembrance of your loved one and nature. We are here near the eternal Hudson and eternal mountains in sky that will be here before we got here and here long after we are gone. It's a way to remember that these people were once with us, important to us and we're not going to forget them."

Westchester County Department of Community Mental Health Commissioner Michael Orth added, "Although we are unable to grieve in traditional ways during this time, it is critical that we allow ourselves and others the time necessary to work through this process in order to move toward health and healing. Connect with loved ones and seek out additional support if you are in need."



Westchester County Executive George Latimer affixes a ribbon at the county's memorial for county residents who have succumbed to COVID-19.

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County Executives Believe Mid-Hudson on Cusp of Reopening

Continued from page 1

on the construction and manufacturing industries, as well as the wholesale supply chain. In addition, certain retail operations can be expanded for curbside pickup and drop-off or in-store pickup. The phase one designation also affects the agriculture, forestry and fishing industries.

Latimer's bullish view came after Real Estate In-Depth first reported that the region had slipped from complying with five metrics to four over the weekend and as of Monday, May 18, according to the state's COVID-19 tracking dashboard. New York City had fallen from complying with four metrics to three, according to the published dashboard at the time.

Orange County Executive Steven Neuhaus revealed in his daily COVID-19 Update on Saturday (May 16) that the governor's office notified counties in the Mid-Hudson region that the region had not met one of the key metrics for reopening and that the state was "restarting the clock," which might mean a delay in the region's economy's opening by as much as two weeks or more.

Neuhaus told viewers that he could not provide any further details because he had not had a formal meeting with other Mid-Hudson County Executives and the governor's office and would provide updates to county residents on Monday.

Reports had surfaced that the Mid-Hudson region may be qualified for phase one of the reopening sometime this week, but that timeline appeared in possible jeopardy earlier this week.

"We were anticipating opening at the end of next week or somewhere around that area," Neuhaus said on Saturday. "Now that clock has started again."

He added, "That's where we are right

now," Neuhaus said. "I don't know what that timeline will be. Is it going to be the 12 to 14-day (period) now to start the clock?"

On Tuesday, May 19, New York State's dashboard indicated that the Mid-Hudson once again qualified for five out of the seven metrics, up from four out of seven the day before. In addition, New York City now qualifies for four metrics, up from three the day before.

Orange County Executive Neuhaus in an exclusive interview with Real Estate In-Depth, noted that state officials in a conference call on Monday (May 18) did not discuss whether the slip from five metrics to four would cause any tangible delay in reopening the Mid-Hudson economy.

He said that Orange County and other

counties may have gotten "Mother's Day and Passover and Easter bumps" in hospitalizations, etc. due to the nice weather and holiday. However, he said that he is confident that in a few days the region will make inroads, including in hiring contact tracers, and is confident the region will be eligible for reopening relatively soon.

Neuhaus said in the phone interview with the newspaper, "I am optimistic that the region will open a lot sooner, (than expected earlier in the week due to the compliance downgrade) as early as this Friday or definitely sometime next week."

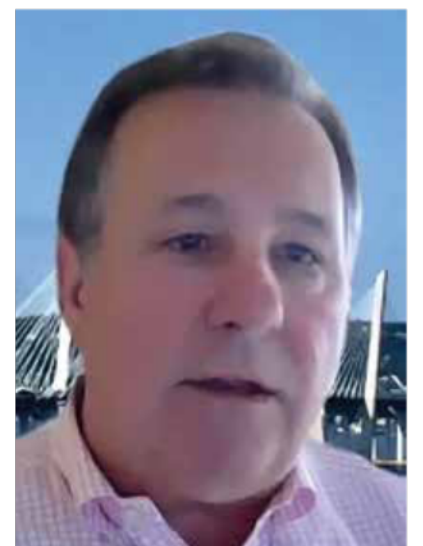
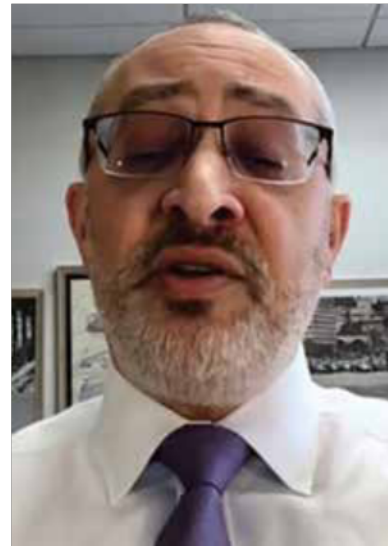
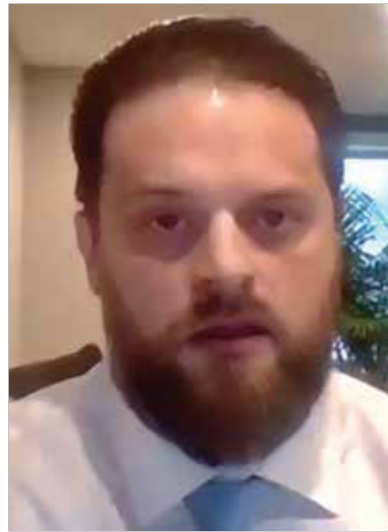
The Orange County Executive also said he pointed out some major statistical and compliance inconsistencies with the state but stressed that the county

executives are working with state officials to bring the Mid-Hudson into compliance.

Gov. Cuomo recently announced the following regions were approved to begin phase one of their respective economies' reopening—the North Country, Central New York, Finger Lakes, Mohawk Valley and Southern Tier.

On Sunday, the governor announced that the Capital District and Western New York regions had achieved all seven metrics for reopening. The Western New York region was to re-open on May 19 and the governor announced at his briefing on May 19 that the Capital District would begin phase one of the reopening on May 20.

HGAR Goes Viral to Provide Insight, Information To Membership on COVID-19 Issues, Impacts



Almost immediately after "New York on Pause" was instituted on March 22, HGAR has provided a host of informational webinars via Zoom offering its members the latest information on financing assistance and trends associated with the COVID-19 pandemic. Among those sessions, included a three-part series presented in partnership with Titlevest, as well as several CID sessions that included the latest program entitled "The Rights and Obligations of Commercial Landlords as a Result of COVID-19" that featured from left, Eric T. Kolle, Esq. and Andrew P. Tureaud, Esq. of the law firm Keane & Beane, P.C., and moderator CID President John Barrett, which was held on May 14.

Yorktown Approves Nestle Waters Distribution Center

YORKTOWN—The Yorktown Planning Board has approved a distribution center for Nestle Waters.

The Planning Board's approval earlier this month will allow Nestle Waters to bring an estimated 60 jobs to Yorktown, as well as end a longtime vacancy at the former Verizon building at 3775 Crompond Road. Nestle Waters has proposed renovating the 1.9-acre property's existing building and parking lot for its office and distribution uses. The complex was built in 1956 and last renovated in 1988, according to Loopnet.com.

"I want to thank the Planning Board for moving this along. The rapid approval of Nestle Waters' application is an example of a changing Yorktown that is open to new businesses by streamlining its application processes, revising outdated land uses and moving with urgency," said Supervisor Matt Slater.

The town has adopted a number of ideas proposed by the Reboot Yorktown Taskforce including expedited permitting processes that allow restaurants and stores to serve their customers on sidewalks or parking lots throughout the summer. Previously, obtaining a permit for outdoor dining or sidewalk sales required a lengthy application to the Planning Board. Now the Building Department can quickly issue the permits, town officials noted.

Greenburgh Town Board Approves Shoprite Project at Former Movie Site

ELMSFORD—Earlier this month, the Greenburgh Town Board unanimously approved a site plan application to demolish the shuttered multiplex cinema at 320 Saw Mill River Road in Elmsford (across from Sam's Club) and to replace the building with a 75,711-square-foot Shoprite grocery store.

The project, which was approved with a host of conditions, also includes an accessory interior restaurant space, along with approximately 10,765 square feet of attached separate retail space.

The application was first submitted to the Town Board on April 15, 2019. The cinema closed on May 30, 2019, according to a report in the Journal News.

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HGAR

May 2020

UPDATE

HGAR Seeks Future Leaders Through Accelerator Program

By Mary T. Prenon

WHITE PLAINS—The current leadership of the Hudson Gateway Association of Realtors recently held a virtual information session on its new initiative for 2020—the Leadership Accelerator Program. As a result of the association’s recently developed Strategic Plan, the goal of this program is identifying and developing new leaders for HGAR’s future.

“Every organization requires an infusion of new leadership with new ideas, new ways of addressing issues, and different approaches to how things are accomplished,” explained Richard Haggerty, HGAR CEO. “Developing new leaders will help our association to remain a relevant and vibrant organization, constantly changing to meet our members’ needs

HGAR President Gail Fattizzi has personally risen through the ranks over the past 20 years, volunteering in many roles including Education Council Chair, Communications Council Chair, Association Secretary/Treasurer, as well as a NAR and NYSAR Director and many other positions.



“I’d estimate that it took me the better part of 10 years of involvement to fully understand all of the opportunities and how everyone works together,” she said. “But, 10 years is too long to wait for new leadership to get up to speed and move our organization forward. We need to find and develop those leaders now.”

The recent videoconference information session was hosted by Fattizzi and Katheryn DeClerck, the Leadership Accelerator Facilitator. There will be 10 sessions involving various topics, beginning September 2020 and concluding in June 2021.

“My personal belief is that leadership qualities are innate,” added Fattizzi. “I don’t think leaders can be created, and not everyone is meant to or wants to lead. But I do think that leadership skills can be identified, cultivated, channeled and given the right platform to shine.”

For more information, please contact Jana Currier, Director of Member Engagement, at: jana.currier@hgar.com.

SPOTLIGHT ON

Kicking COVID to the Curb

By Mary T. Prenon

While the Coronavirus continues to wreak havoc on people’s lives and careers, one New City agent not only managed to overcome the virus herself, but actually received offers on two homes, sight unseen, during these incredibly challenging times!

Some may consider Betsy Estrella-Mejia a real estate “newbie,” earning her license just three years ago, but the Christie’s International Realty agent credits her ultra-positive attitude with helping her to get well and make sales in a climate that has most Realtors playing the “waiting game.”

“My husband always tells me I’m overly positive,” she admitted. “I guess I’m one of those people who just keep going. Of course, we all have those days that seem like a breakdown, but I believe we need the breakdown to have a breakthrough.”



Betsy Estrella-Mejia

The Stony Point mother of two didn’t worry when her husband, a lab technician, came home one day complaining of a headache. He had no fever or sinus infection, and just one day of chills. By the third day he was fine. A few days later, Estrella-Mejia developed a fever that quickly shot up to 104. “Then came the aches and pains, so I locked myself up in a room and called a neighbor to drop off some food for my kids,” she said.

After testing positive for COVID-19, she continued to self-quarantine, while still spending a few minutes a day to stay in touch with clients via e-mail and texts. Her husband was also later instructed to stay home, as someone with whom he worked tested positive for the virus. “The biggest thing was the fever and the fatigue” she recalled. “It also came to a point where it was hard to speak because breathing was so difficult.”

Estrella-Mejia survived on tea and soup, while taking 1,000 MG of Tylenol

every four hours for five days in a row. At one point, her husband called 911 when her oxygen levels dipped too low. “Rather than take me to the hospital, they just gave me oxygen at home,” she explained. She also added warm baths with peppermint oil, which helped with her breathing.

After two weeks, she started to feel better and was able to start breathing exercises. She also picked up contact with her clients. Following almost four weeks, she was fully recovered and managed to secure six buyer contracts during the month of March. Two of her buyers made offers on homes without even physically seeing them!

“First, they drove by to take a look at the outside,” she explained. “Then we asked the sellers to conduct the virtual tours themselves, showing every detail inside the homes.” Home inspections were also completed virtually using the phone app “What’s App,” which allowed

Continued on page 12

2020 HGAR RPAC HONOR ROLL as recorded by NYSAR to May 2020

Thank you to the following Members who are leading the way in the 2020 RPAC campaign

Platinum R \$10,000

Dorothy Botsoe, Dorothy Jensen Realty Inc., White Plains
Anthony Domathoti, Exit Realty Premium, Bronx
Richard Haggerty, Hudson Gateway Association of Realtors, Inc.
Nancy Kennedy, Houlihan Lawrence Inc., Croton-on-Hudson

Crystal R \$2500-\$4,999

JP Endres, BHG Rand Realty, New City
Irene Guanill, Meet the Sellers, Bronx
Crystal Hawkins Syska, Keller Williams NY Realty, White Plains

Sterling R \$1,000-\$2,499

Debra Budetti, ERA Insite Realty Services, White Plains
Leah Caro, Park Sterling Realty, Bronxville
Carol Christiansen, Café Realty, Mount Kisco
Ronald Garafalo, John J Lease Realtors, Middletown
Ann Garti, Hudson Gateway Association of Realtors, Inc.
Richard Herska, BHG Rand Realty, Nyack
Pamela Jones, Coldwell Banker Res Brokerage, White Plains
Barry Kramer, Westchester Choice Realty, Scarsdale
Clayton Livingston, Grand Lux Realty, Inc., Armonk
Mark Seiden, Mark Seiden Real Estate Team, Briarcliff Manor

President’s Club \$500-\$999

Carmen Bauman, Green Grass Real Estate Corp. Bronxville
Gary Connolly, Hudson Gateway Association of Realtors, Inc.
Lawrence Curasi, Curasi Realty, Inc, Montgomery
Teresa Belmore, Keller Williams NY Realty, White Plains
Maryann Tercasio, Better Homes and Garden Rand Realty, Central Valley

Capitol Club \$250-\$499

Nancy Curasi, Curasi Realty, Inc, Montgomery
Sarah Hughes, William Raveis Legends Realty, Briarcliff Manor
Eydie Lopez, Keller Williams Hudson Valley, Highland Mills
Robert Shandley, BHG Rand Realty, White Plains

99 Dollar Club \$99-\$249

Teresa Belmore, Desmond Bonar, Layla Boyles, Janet Brand, Elisa Bruno Midilli, Randall Calano, Michael Criscuolo, Laurie DiFrancesco, Kevin Dwyer, Patricia Holmes, Clayton Jeffrey, Bonnie Koff, John Kope, Kathleen Mangan, Barbara Shaver, Peggy Shea, Jacqueline Simmons, Cary Sleeper, Judith Speight, Maria Weiss, Patricia Ephraim, Anthony Lando, Rosa Lulgjuraj, Elisa Bruno-Midilli, Valerie Port, Cathleen Stack, Maria Weiss

Recap of Contributions Year to Date**

TOTAL: \$110,229 47% towards goal

Total with pledges: \$129,148

With 2,803 contributors 69% towards participation goal.

Goal: \$233,684 from 4,051 contributors for a total of 36% of membership

BOARDROOM REPORT

Hudson Gateway Association of Realtors, Inc. (HGAR)
November 20, 2019
HGAR offices, White Plains, New York

HGAR Management, Financial & Membership Reports

Treasurer Irene Guanill presented the Treasurer's Report as of Nov. 1, 2019, which was received and filed for audit.

CEO Richard Haggerty reviewed the HGAR draft first and second quarter of 2019 financial statements, comparing the "actual" versus "budget" amounts. After review and discussion, the Directors approved motions receiving the 2019 first and second quarter HGAR financial statements for filing and for audit.

Past President and Chair of the HGAR Leadership Committee Barry Kramer then sought the confirmation of HGAR Officers for 2020 in accordance with the HGAR Leadership Committee's Report presented at HGAR's Annual Members' Day and Annual Meeting on October 28, 2019. The Slate of Officers are as follows: Gail Fattizzi, as President, Crystal Hawkins Syska, as President Elect, Anthony A. Domathoti, as Treasurer, Irene Guanill, as Secretary, and Ron Garafalo, as Immediate Past President. Thereafter, upon motion duly made, seconded and passed confirming the selection of HGAR Officers, as presented in the Leadership Committee's Report.

Past President Kramer then presented the report of the HGAR Leadership Committee recommending the following individuals to fill vacancies on the Hudson Gateway Realtor Foundation Board of Trustees: Maryann Tercasio as President, with a term expiring on Dec. 31, 2021; Jeanne Shields as Vice President, with a term expiring on Dec. 31, 2021; Bonnie Koff as Secretary-Treasurer, with a term expiring on Dec. 31, 2021; and Harding Mason and Carol Christiansen, as Trustees, with terms expiring on Dec. 31, 2022. Thereafter, the motion was duly made, seconded and unanimously carried approving the individuals recommended by the HGAR Leadership Committee to fill vacancies of certain officers and trustees on the Board of Trustees of the Hudson Gateway Realtor Foundation.

CEO Haggerty next spoke in reference to NAR's Core Standards requirements for Realtor Boards and reported that he had filed the required documentation in accordance with NAR's Core Standards requirements and that same had been approved by NAR.

CEO Haggerty also provided a personnel update to the Directors. He indicated that he had interviewed Jana Currier, who had worked for a large, well-known Orange County brokerage firm, and went on to join Mediacom Communications Corp., a national cable company. He was pleased to announce that Currier would be joining HGAR and would be assisting primarily with "Member Experience." CEO Haggerty also noted that he will likely be looking to hire three to four additional employees to assist with the Member Success Team.

President Garafalo then presented an update on the implementation of the Strategic Plan. He reported that the five work groups had been appointed and had already met to begin discussing implementation plans. CEO Haggerty noted that Jana Currier would likely be the support person to assist with the Regional Directors and establish more face-to-face meetings in the counties served by HGAR.

Association Counsel John Dolgetta, Esq. then reviewed proposed modifications to the New York MLS, LLC Operating Agreement noting that once approved the Amended and Restated Operating Agreement would be executed simultaneously with the execution of the Services Agreement. After discussion the Directors approved the revisions to the Operating Agreement between HGMLS and MLSLI, as

Kicking COVID to the Curb

Continued from page 11

her and the buyers to view the inspection live in real time.

When both buyers made offers, Estrella-Mejia was surprised, but not shocked. "It all depends on their motivation and expectations," she said. One buyer is a contractor purchasing a home needing some TLC, and the other is someone who is simply ready to purchase now. Both homes are currently under contract and should be closing in the near future. "If you have the right team to work with, you can still get things closed," she added.

These days Estrella-Mejia continues to work with other potential buyers, relying on virtual tours and inspections. Having corresponded with many relocation clients, she is no stranger to buyers who don't actually see the home until the closing date. Even prior to the pandemic, she always made it a point to meet new clients virtually via teleconference to get to know them.

Looking back to 2017, it was a local Realtor who convinced her to get into real estate. "I was a happy client of a Realtor and just decided that this was something I wanted to do," she recalled. "On my very first day, I made two appointments!" Starting part-time in the industry, Estrella-Mejia switched to full time in just three months. In her first six months, she sold 10 properties, followed by 24 the next year, and 21 in 2019. Estrella-Mejia spent almost her entire time with Keller Williams before joining Christie's in December.

Prior to real estate, she worked with several financial institutions in Manhattan. "This was really helpful to me because now I know the ins and outs of the loan process, so I can educate my clients and find the best approach for them," she said. Estrella-Mejia holds a Business Management degree from Herbert Lehman College in the Bronx, including a double major in Finance and Human Resources and a minor in Computer Applications.

Last year, she also got involved with HGAR's newly revamped Young Professionals Network (YPN) and has attended both live and virtual happy hours. "I find it very helpful for people who are new to the business," she said. "It can provide a lot of guidance." She also volunteers with the Falling Angels Sickle Cell Foundation in Garnerville.

In addition to keeping on top of the real estate market, Estrella-Mejia is home-schooling her young children, aged four and six. She's also back to her morning routine of jogging, shortly after rising at 5:00 a.m. "My favorite pastime, of course, is spending time with my family. We love to walk and hike," she said.

Having survived one of the worst pandemics in our history, Estrella-Mejia refuses to consider herself as a victim. "You can't focus on everything that's difficult because if you do, that's what you'll attract. You have to focus on the good things," she said. "My philosophy is that I kicked COVID out and I can sell anything now!"

presented to the Directors at this Meeting.

CEO Haggerty then reported on the status of the Services Agreement, which had previously been provided to the Directors the day prior to the meeting and was then reviewed in detail by CEO Haggerty at the meeting. CEO Haggerty pointed out that the Services Agreement had been revised to include reference to four separate categories of expenses and that there would be four separate schedules. After extensive review and discussion, the Directors approved a motion approving the draft Service agreement in principle.

The Directors then passed a motion extending the term of the current employment agreement for CEO Richard Haggerty to coincide with the three-year term of the Service Agreement, as specified in the Operating Agreement.

Multiple Listing Service

Leah Caro, Manager and Chair of the Board of Managers of New York MLS, then presented to the Directors the names of the two Managers from HGAR to serve on the Board of Managers of New York MLS for the two positions that expire on Dec. 31, 2019. Those individuals are Joe Camaj and Mark Boyland, who would each be serving two-year terms. Caro noted that she and Renee Zurlo, each currently serving for a two-year term, will be serving until Dec. 31, 2020. The Directors approved Mark Boyland and Joe Camaj to serve on Board of Managers for New York MLS for a two-year term to run from Jan. 1, 2020 to Dec. 31, 2021.

Caro also reported that the launch of OneKey MLS was tentatively projected for on or about Jan. 1, 2020, subject to the finalization of the Services Agreement. In addition, Caro reported that the Board of Managers had also established a compensation policy as provided for in the Operating Agreement. She reported that the Board of Managers decided that only the "Outside Managers" would receive compensation up to \$2,000 and reimbursement of reasonable expenses. The Directors approved the compensation policy for outside Managers as presented.

Communications and Member Services

Director Debra Budetti, Communications Council Chair, reported on several events being held. Past President Barry Kramer recognized Director Budetti's efforts and contributions to the recently held WRO Gala.

Education Council

Education Council Vice Chairperson Irene Guanill took a moment to thank Vicki D'Agostino for all her hard work and efforts in connection with the education program. Guanill noted that a fair housing training course for the faculty will be offered in January; this was scheduled prior to the *Newsday* article but is now even more important. She also noted that a Virtual Card at a cost of \$175 would be offered to the membership for the full 22 1/2 hours of continuing education and would be valid for one year. She mentioned that anyone who purchases the Virtual Card would be benefitting from a discount of \$50 (which is already reflected in the \$175 price). Director Guanill also reported that the School of Real Estate was now offering an expedited 10-day Salespersons Licensing Course.

Professional Standards Council

Professional Standards Chair Roberta Bangs and Director of Legal Services Brian Levine, Esq., presented the Professional Standards Committee report. Chairperson Bangs reported that as of Nov. 20, 2019, there were three new ethics complaints that have been filed since the last Board Meeting; five ethics matters were heard by the Grievance Committee, all were approved for hearings; and there have been three ethics hearings that have been conducted to conclusion. Five ethics decisions were not appealed and are being presented to the Board for approval. She noted that there are 12 ethics complaints pending, five of which are being held in abeyance awaiting the resolution of related actions.

Chairperson Bangs further reported that as of Nov. 20, 2019, there were two new arbitrations filed; one was approved by the Grievance Committee; one will go to the Grievance Committee at its next scheduled meeting; one arbitration matter went to mediation and was resolved; and one arbitration matter went to mediation and was not resolved. The latter will be sent forward for a Professional Standards hearing. There are currently five arbitration matters actively pending.

In-House Counsel and Director of Legal Services Brian Levine, Esq. then presented the latest Ethics Decisions to the Board of Directors. After review and separate votes, the Directors respectively approved ethics decisions designated as 257-E, 258-E, 259-E, 260-E and 261-E.

Legislative Council

Director and Legislative Vice Chair Clayton Livingston and Director of Legislative Affairs Philip Weiden then presented the Legislative Council update. Weiden, just returning from a meeting at Westchester County's Human Rights Division, indicated that 234 cooperative apartment application rejections had been reported to the Human Rights Division and reported that Westchester County Legislator Catherine Borgia is going to reintroduce a bill in the coming year requiring cooperative corporation boards to provide a reason for the rejection of an applicant. Weiden also noted that the Human Rights Division was looking to add another person to its staff.

RPAC

Director Richard Herska and Secretary Crystal Hawkins Syska, in their capacity as RPAC Co-Chairs, presented the RPAC update. RPAC Co-Chair Herska was pleased to report that as of November 1, 81% of the annual RPAC goal had been met and approximately \$178,561 had been raised to date. RPAC Co-Chair Hawkins Syska also reported that there were 2,894 contributors (out of 3,815) which represents a 76% participation rate. Hawkins Syska also noted that \$11,000 was raised at the RPAC Luncheon at HGAR's Annual Member's Day.

CEO Haggerty then made a request of the HGAR Board of Directors to consider a contribution of \$5,000 to RPAC from its reserves. CEO Haggerty pointed out that he did confirm that associations and MLSs are permitted to make contributions to RPAC and that, in fact, many do make contributions to RPAC, and the Directors approved a \$5,000 contribution.

Fair Housing and Cultural Diversity

Directors and Fair Housing and Cultural Diversity Co-Chairs Dorothy Botsoe and Eydie Lopez, on behalf of the Fair Housing and Cultural Diversity Committee, presented its report. Directors Botsoe and Lopez reported the HGAR International Night event held on November 18th was a success, with more than 100 attendees. They reported that the speakers and performers were exceptional, and they

Continued on page 18



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Member Success Team

with any questions!

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For Information regarding COVID-19, please visit <https://www.hgar.com/covid-19>

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CALENDAR

MAY

May 27
Virtual Breakfast with Benefits: "Keeping Your Home Healthy During the COVID-19 Climate"
Zoom, 9:30 AM – 10:30 PM

JUNE

June 3
Virtual Breakfast with Benefits: Online Marketing That Works 24/7
Zoom, 10:00 AM – 1:00 PM

June 4
HG Realtor Foundation "Virtual Fundraiser": Pacific Rim Cooking Class
Zoom, 5:00 PM – 7:00 PM

June 10
"Virtual" Market Update by NAR Chief Economist Lawrence Yun, PhD
Zoom, 10:00 AM – 10:30 PM

June 16
HG Realtor Foundation Volunteer Day – Green Chimneys
Green Chimneys, Brewster,
9:00 AM – 12:00 AM

June 17
HGAR Board of Directors Meeting
Zoom, 10:00 AM – 12:00 PM

June 19
HG Realtor Foundation Volunteer Day – Habitat for Humanity
Habitat for Humanity,
Newburgh, 8:00 AM – 1:00 PM

HGAR Events:

For Up to Date HGAR Events, visit HGAR.com/Events.

LEGISLATIVE AFFAIRS

By Philip Weiden



BARRISTER'S BRIEFING

By Brian S. Levine, Esq



May State Legislative Updates

The New York State Senate and Assembly will hold joint hearings on the federal response to the COVID-19 crisis. The first hearing was scheduled virtually for May 13th and was to look at whether the federal response was sufficient in view of the disproportionate impact on New York State the virus has had. The second hearing, which has not been scheduled as of yet, will focus on the impact of COVID-19 on minority communities. Information will be posted for anyone wishing to listen to the live hearings.

Gov. Andrew Cuomo has requested \$60 billion from the federal government as part of a \$500-billion package being requested by the Governors' Association over a three-year period in order to avoid massive state and local government layoffs. These layoffs would further hurt the economy if they were to occur. They could also further damage the real estate market as town employees who deal with housing in various ways and county governments, such as county clerks, would be forced to cut services, which could delay real estate transactions from taking place.

The eviction and foreclosure moratorium has been extended until August 20th for people that are unemployed or can show that COVID-19 has adversely affected them. Prior to the extension, the eviction moratorium covered all lessees. This could still be amended again to include all tenants. However, and this is important to stress, foreclosures and evictions cannot commence in any event while the courts remain closed. We have not yet heard when they will reopen.

Finally, On May 6, NYSAR 2020 President Jennifer Stevenson submitted a letter to Gov. Andrew Cuomo, Lt. Gov. Kathy Hochul, as well as the Empire State Development Corporation, state Legislature and county executives across the state providing recommendations on the re-opening of real estate in New York. The letter states that most states across the nation, including all of the six adjoining coalition states, allow at least some form of limited in-person showings. NYSAR believes New York State can join these states and allow limited in-person contact. Stay tuned for updates on these matters. To read the full letter go to: https://www.nysar.com/wp-content/uploads/2020/05/GA_Letter_for_GovCuomo_Reopening_050620.pdf?utm_source=NYSAR+Master+List&utm_campaign=0f663ffd95-EMAIL_CAMPAIGN_ENEWS_090818_COPY_01&utm_medium=email&utm_term=0_f1e488a523-0f663ffd95-160969613

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

'Who You Gonna Call?' A Facilitator (Not the Ghostbusters)!

As we all know, the new OneKey MLS roll out is taking place. Clear Cooperation is now a requirement and you can no longer market a property to the public without putting it on the MLS. The "Coming Soon" status will soon roll out as well. So, while you're conducting business from home, it's important to familiarize yourself with these new provisions of our MLS. That's why in this month's column, I'm going to focus on the use of a Rules Enforcement Facilitator.

What's a Rules Enforcement Facilitator?

Rules Enforcement Facilitators (Facilitators) have been commonly used by Long Island Realtors for quite some time; however, for us, the use of these intermediaries will be new. So first, we need to know who is a Facilitator? A Facilitator is a OneKey MLS Participant who is appointed by the MLS Board of Managers to assist our members in certain situations. A list of these Facilitators, approximately 30 of them in total, is posted on the HGAR website in the Document Library. You can find this list under the tab "OneKey MLS Reference," under the title "Rules Enforcement Facilitators." It can also be found in Matrix under "External Links." If a particular issue arises where the use of a Facilitator is permitted, any one of these Facilitators can be selected to assist. There are Facilitators from various brokerages and regions and a Participant is free to choose a Facilitator that suits them best or with whom they are most familiar.

What Do Facilitators Do?

If you, as a member, have an issue that falls under the purview and authority of a Facilitator, you can use their assistance in obtaining results. However, there are a few steps that you must take before you contact them. (1) First, as an agent, you must attempt to resolve the issue with the other agent and/or the other agent's broker of record/owner/manager. (2) If these efforts are ineffective, you must involve your broker of record/owner/manager to assist in obtaining a response from the agent; and if not the agent, the agent's broker of record/owner/manager. (3) Finally, if a response is not forthcoming after all these efforts, then and only then, can a Facilitator be contacted. But, what is most important is that ONLY A PARTICIPANT (i.e. broker of record/owner/manager) can contact a Facilitator. The Participant can act on behalf of the broker's agents.

What Acts Involve a Facilitator?

Facilitators can be engaged for only a few specific issues; however, these issues are some of the most common problems that face agents. They are:

Showing Requests

- A Cooperating Broker cannot contact the Listing Broker to make an appointment to show the property or;
- The Listing Broker is responding in an unreasonably slow matter regarding showing requests.

Presentation of Offers

- A Cooperating Broker cannot contact the Listing Broker to make an offer or;
- The Listing Broker is responding in an unreasonably slow matter regarding an offer made.

Confirmation of Presentation of Offers/Offer Acknowledgment Form

- A signed Offer Acknowledgment Form or a signed Sworn Declaration Statement is not returned to the Cooperating Broker within the specified period of time.

Listing Broker Fails to Provide Written Instructions/Restrictions

- After request from a Cooperating Broker, a Listing Broker fails to timely provide written instructions or information relating to showings or access restrictions on a listed property.

Powers of the Facilitator

In addition to being able to intervene on behalf of an aggrieved Participant to assist in resolving an issue, a Facilitator has the power to impose automatic fines on those that the Facilitator deems to have violated the MLS Rules. The fines are as follows:

- \$500 fine for a first violation of this type by that Participant's office;
- \$750 fine for a second violation of this type by the Participant's office;
- \$1,000 fine for the third and any further violations of this type by that Participant's office.

It is important to note that violations are recorded against a Participant's office, not the individual agents, and this escalating violation count against a Participant's office continues for as long as a Participant remains with the MLS. Additionally, the accrual of multiple violations by a Participant's office could also expose the Participant to additional discipline.

Conclusion

The use of Rules Enforcement Facilitators is a great benefit to our members. It works to assist members in trying to move all transactions forward in a professional manner. It levels the playing field to benefit all Realtors. At its core, it addresses one of the most common problems that agents face: trying to show a property or trying to make an offer (and proof of same). These issues have always plagued our industry.

With the advent of the neutral Facilitator, these problems will demand immediate redress and the pressure to comply is persuasive, as serious fines could accrue. As a result, I feel that all members will communicate more quickly and professionally. This, in turn, will make our industry more transparent and efficient and this will confer an enormous benefit on the clients we serve.

Stay Safe.

Brian S. Levine, Esq. is In-House Counsel/Director of Legal Services & Professional Standards Administrator for the Hudson Gateway Association of Realtors.



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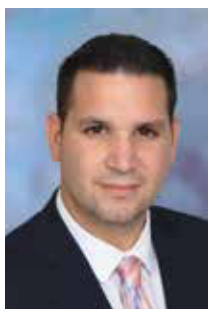
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What's New With Social Media Services Privacy Settings, Screen Sharing Solutions, Smartphone and Driver Updaters

TECH TALK

By John Vrooman
john@johnvrooman.com



Grrr!! Managing social media privacy settings isn't easy.

Staying current with social media services', privacy-related settings, and options is challenging. While most social media services do supply adequate amounts of information about their service's privacy options, many users don't take the time to read and work their way through everything. The result of this situation is that many social media users end up sharing more information than known, or desired. If you're not the type of social media user who periodically reviews their privacy settings, I would encourage you to become one who does. To help you to become more knowledgeable about the privacy (and security) settings that are available on the different social media platforms that you use (or, have simply signed up for, but may not use), I suggest the following...

Seek out articles and videos that address privacy/security issues for all the services you have signed up for. To do this, visit your preferred Internet search engine and/or YouTube.com and perform searches using keywords like the following...

[Social media service name] privacy security settings 2020 (e.g. LinkedIn privacy security settings 2020; Facebook privacy security settings 2020; Instagram privacy security settings 2020, etc.)

When you perform the above searches, the results will include links to many relevant articles, videos, etc. Many of these resources will help you find and familiarize yourself with many of the privacy/security settings that social media services make available. **Tip:** Pay attention to the age of the articles and videos that appear in your search results as you'll want to focus on the most recent ones. (Unfortunately, each service's privacy and security setting/options tend to change over time, so this exercise/process should be repeated periodically.)

Computer Screen-Sharing Solutions

Now that more people are working from home than ever before, there's an increasing chance that you'll encounter situations where you may want to share what's on your computer screen with others or vice versa. Fortunately, there are many screen-sharing, and other remote access and/or collaboration tools and services available. If this topic interests you, I would encourage you to browse through a computerworld.com article titled "22 free screen-sharing apps for work-at-home collaboration." The article introduces and briefly reviews several products/services that should meet your needs. Here's a link to the article...www.tinyurl.com/rjllro

Note: In recent years, the number of online screen-sharing, video conferencing and collaboration solutions has increased dramatically. Fortunately, a trend towards specialization (both in solution type and within vertical markets) has been occurring. An article at Medium.com titled, "The "Verticalization" of Zoom," provides evidence

of this trend. While the article is interesting overall, I want to focus your attention on a list of "200+ Video Communication Companies" that the article references and provides a link to. For your convenience, here's the link to the article...www.tinyurl.com/y7wopn6b, and the list...www.tinyurl.com/yaj6kc3q (the list is hosted at notion.com). Have fun exploring and evaluating all your options!

Use Your Smartphone as a Webcam

Good news! If you don't have a webcam, or if the one you have isn't very good, you may be able to use your current Smartphone (or, possibly an old one) as a webcam! Many Smartphones have camera lenses and capabilities that are better than what's typically built into most laptop computers. To learn more about this topic and to help get you started, I recommend that you review a Gizmoto.com article titled "How to Turn Your Smartphone into a Webcam." Check it out here...www.tinyurl.com/wq2flp5

Before committing to the above solution, another way that you may be able to use your Smartphone as a webcam can be found here...www.kinoni.com. Also, if you search Google and/or YouTube using [smartphone webcam 2020] as your search keywords, the search results will include links to additional options and related information.

Consider Updating Your Computer's Hardware Drivers

(Warning, this is a geeky topic and may not be something that less-geeky people should consider!)

Basically, "hardware drivers" are software instructions that enable your software programs, computer hardware and peripheral devices to communicate with each other (work together). Unfortunately, the "drivers" for many computer hardware components and peripherals are buggy, have security and other issues. Over time, it's common for computer hardware component and peripheral equipment manufacturers to update their product's drivers. Updated drivers typically fix problems and sometimes also enable new features (and unfortunately, can sometimes also introduce new/unexpected problems).

There are several ways to obtain and install new/updated drivers for your computer, but one of the easiest methods is to use a software product that specializes in updating computer drivers. At Lifewire.com I found an article titled "11 Best Free Driver Updater Tools." The article offers brief reviews of several products that all should be able to help you update many of your computer's hardware drivers. Here's a link to the article...www.tinyurl.com/y78oq77w (FYI: I'm not saying it's the best, but I've successfully been using the free version of "DriverMax" for years.)

Driver updater products typically provide a way for you to backup and *restore drivers (*a.k.a. rolling back drivers). However, before you use a driver updating program, I would encourage you to first also review the following helpdeskgeek.com article as it provides some additional help and insight regarding what you're getting into, what could go wrong, and what could be involved during the troubleshooting process.

The title of the article is "How To Roll Back A Driver In Windows 10" and it can be accessed here...www.tinyurl.com/yd2n7hx2

Reminders

This column (and many earlier ones) are made available for your viewing convenience at...www.realestateindepth.com/technology.

If you have any comments, suggestions, tips, questions, or just want to say "Hi," you can e-mail John at john@johnvrooman.com.

John Vrooman constantly keeps an eye out for cool new hardware, software, apps, and gadgets; SaaS solutions; Social media developments and trends; and other types of personal productivity, and SMB related solutions. He gathers information for his column from a diverse range of resources and enjoys sharing tips, thoughts, and discoveries with others. John has been authoring this column since August 2000 and enjoys hearing from his readers.

CoStar Group Agrees to Acquire Ten-X Commercial for \$190M

WASHINGTON— CoStar Group, Inc., a leading provider of commercial real estate information, analytics and online marketplaces, announced recently that it plans to acquire Ten-X for \$190 million in cash.

Ten-X was launched in 2009 with the goal of providing a digital transaction platform for effectively liquidating the large volume of distressed commercial real estate assets that came on the market during the Great Recession. Ten-X has since become a leading platform for digital commercial real estate transactions with close to \$24 billion of sales successfully executed on the platform.

The Ten-X platform has transacted approximately \$7 billion in retail properties, \$6 billion in office properties, \$4 billion in multifamily properties, \$3 billion in hotel properties, and billions in value in other commercial property types. While Ten-X initially focused on distressed assets, non-distressed sellers and brokerage firms have increasingly come to rely on Ten-X to facilitate faster execution to transact properties.

The Ten-X transaction platform has become the trusted online platform for brokers across the country to execute transactions for their clients, including all of the top 25 US commercial real estate brokerage firms. Leading lenders, special servicers and institutional sellers have relied on Ten-X's transaction platform to sell billions in assets. Fannie Mae, Bank of America, JP Morgan Chase, Blackstone, Starwood, BlackRock, Capital One, MetLife, LNR, UBS, PNC, and SunTrust are just some of the major institutions that have trusted the Ten-X platform to transact billions of dollars in online commercial property transactions.

CoStar Group operates the most heavily trafficked online marketplace for commercial properties and land for lease and sale in North America and Europe with 10 million monthly visitors in April 2020 to its websites including LoopNet.com and CoStar.com. After completion of the transaction, CoStar Group intends to integrate the Ten-X digital transaction platform directly into both LoopNet and CoStar thereby exposing the properties that brokers are selling on the Ten-X platform to millions of potential buyers from around the world.

Ten-X Commercial's 2019 unaudited financial statements reflect revenue of approximately \$57 million. The transaction is expected to close in the third quarter of 2020, subject to customary closing conditions and regulatory review. Assuming the transaction closes in the third quarter of 2020, Ten-X is not expected to have a material impact to CoStar Group Adjusted EBITDA for the year.

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Working Together to Rebuild Our Workforce, Our Region

GUEST COLUMN

By Maureen Halahan and Marc Baez



During these uncertain times, the people of New York State have benefited from Gov. Cuomo's leadership and that of our federal, state and local officials while, once again, showing remarkable resilience. So, much has happened so quickly, and we applaud our elected representatives for taking decisive action to ensure the safety of our residents and the security of our region.

Our coalition—17-Forward-86, comprised of business, labor, environmental and community leaders—is grateful to our brave and tireless first responders and health care workers, who continue putting themselves at risk to keep us safe. We're thankful for those behind the scenes—our colleagues in the building and construction trades, public service, education, pharmacies, food and other services—working to maintain a sense of normalcy for the rest of us.

We recognize that more struggles are to come, and are sensitive to the seriousness of the pandemic and cognizant that many unforeseen challenges lie ahead. Our state will reopen, but rebuilding our workforce, businesses and economy will require collective innovation and powerful leadership. Investing in our infrastructure is an essential part of our economic recovery.

17-Forward-86 was established in 2017 with the goal of improving mobility in the region. We now comprise more than 200 members of economic

development groups, community organizations, construction trades, tourism groups and energy companies representing thousands of individuals who share a common vision for expanding the capacity of Route 17 to ensure the economic well-being of the Hudson Valley and Sullivan Catskills. Improving the Route 17 corridor and upgrading other key infrastructure in the region will enhance safety and strengthen our economy. It will improve mobility and provide critical access for first responders and safer routes for all motorists as vehicles once again fill our roads. It will create good-paying jobs, which will help restore a sense of stability in our communities and give local economies a much-needed boost.

One road leads to another and Route 17 is a critical artery in the Hudson Valley, New York State and the region. Traffic has been steadily increasing for decades and even more so in recent years as new businesses have located or expanded here. A host of planned developments will add even more vehicles to the heavily traveled corridor. We need these investments as we reopen for business, so we must ensure our roads can handle the added capacity.

We're moving in the right direction. Local and state officials have voiced support for widening Route 17. U.S. Sen. Chuck Schumer has long been a proponent of improving mobility on the

corridor. Last year, the DOT selected an engineering firm to begin a scoping and preliminary review process as part of a \$5-million Planning and Environmental Linkage (PEL) study, laying the groundwork for the widening of Route 17. We had been advocating for \$500 million in state and federal funding necessary to see the project through, but right now Gov. Cuomo and our elected officials are, rightly, focused on our safety and getting us past these difficult times.

As New York State prepares to reopen for business, we are confident our leaders will look to infrastructure investment as a key driver of our economic prosperity. No one could have foreseen

this—but, together, we will get through it and we continue to prepare for our region's future. Now, more than ever, we must work together to enhance our safety, improve our quality of life and ensure our economic viability for generations to come.

Maureen Halahan is the president and CEO of the Orange County Partnership in Goshen and co-chair of 17-Forward-86. Marc Baez is the president and CEO of the Sullivan County Partnership for Economic Development in Monticello and co-chair of 17-Forward-86. To learn more, visit www.17Forward86.org.

Eastern Union Launches New 'Distressed Notes Initiative'

NEW YORK—To help commercial lenders minimize the future damage that the COVID-19 pandemic will inevitably inflict upon their balance sheets, Eastern Union has launched a Distressed Notes Initiative that will identify investors interested in purchasing lenders' troubled mortgages.

The company will leverage its extensive database of investors to help community banks and private debt funds find buyers for their distressed debt.

Abe Bergman, co-founder and managing partner of Eastern Union, will lead the company's new Distressed Notes Initiative.

"We understand what lenders need and we will serve their best interests," said Bergman. "At the same time, we have strong and well-established business relationships with vast numbers of investors. Many will be willing to take troubled loans off of lenders' hands."

Bergman said that a number of lenders had recently reached out to Eastern Union indicating that they expected to face liquidity issues in the coming weeks or months, especially as regulatory circumstances evolve. These lenders said they expected to need brokerage assistance in selling off troubled loans, and asked if Eastern Union could assist. These lender queries were part of the reason Eastern Union inaugurated its Distressed Notes Initiative, he said.

He also noted that Eastern Union had considerable experience in the disposition of distressed debt based upon its brokerage work during the 2008-2009 recession.

Day-to-day management of the new unit will be handled by Eastern Union vice presidents Mark Rosenzweig and Boruch Mandel, both senior real estate finance executives at the firm. They have extensive experience in placing both equity and debt, and have collectively closed transactions valued at a total of more than \$300 million.



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Orange Bank & Trust Provides More Than \$100M in PPP Loans

MIDDLETOWN—Orange Bank & Trust Company reported on May 5 the successful processing of more than 700 small business loan applications for local business customers, totaling more than \$100 million.

The applications were funded under the federal Paycheck Protection Program (PPP), which was established in late March to help small businesses remain afloat and retain employees during the economic shutdown caused by the COVID-19 pandemic.

“This was an entirely new service for the bank, requiring the rapid development of new processes and oversight, the biggest being a requirement to register as an SBA lender,” said Orange Bank & Trust President and CEO, Michael Gilfeather.

He later added, “The PPP program was the biggest and most immediate and impactful program available, and we knew access to it would be critical



Michael Gilfeather, Orange Bank & Trust President and CEO

for our clients.”

Graphics by Color Group of Hawthorne was one of the local businesses

that received funding with the help of Orange Bank & Trust. “I received my company’s PPP funding on April 24,” Marc Weinstein, owner of Graphics by Color Group, said. He recalled that funding ran out just as his application was being finished, but when the next round of funding was signed off by Congress, he received e-mails from Orange Bank & Trust, requesting my signature for funding.

“This was over the weekend. I signed off Monday morning and the funds were in my business account before the end of the day. It’s a story worth telling as I have many small business associates at larger banks who are still waiting,” Weinstein said.

“There was nothing easy about managing through this program” Orange Bank & Trust’s Gilfeather noted, “but our clients needed us and everyone at the Bank felt responsible for helping them secure access to funding. We had

employees working around the clock, including evenings and weekends, to file these applications. I couldn’t be more proud of the work ethic they’ve demonstrated in their commitment to our business clients.”

The Center for Safety & Change also secured an SBA PPP loan and was assisted by the bank. “Orange Bank & Trust has been instrumental in ensuring operations of the Center for Safety & Change continue to thrive during these uncertain times without interruption,” said Elizabeth Santiago, Chief Executive Officer of Center for Safety & Change, Inc., which has been Rockland County’s sole victim assistance provider for 40 years.

Orange Bank & Trust Company is an independent bank that has more than \$1.3 billion in total assets. In recent years, Orange Bank & Trust Company has added branches in Rockland and Westchester counties.

Buy, Sell or Hold?

By Robert Withers



Robert Withers

During these turbulent times, many lenders are suspending activity or taking very conservative views on ongoing business. Investors are in a panic, not knowing what will be their best path forward.

Having navigated previous financial crises from the Savings and Loan scandal to 9/11 to the Great Recession and with more than 30 years of experience in the commercial mortgage industry, I can shed light on what property owners need to understand as they struggle with the financial impact of COVID-19.

While some financial institutions have curtailed loans, revised their parameters or removed certain lending programs from their offerings, this should be temporary. But even after this crisis is over, the concern of valuation and risk margin will linger, hindering a full recovery in the industry at least in the short term. Lenders will undoubtedly pull back on the aggressive lending practices they were demonstrating before this crisis hit.

People are understandably worried about the current financial climate and for weeks we have been fielding calls with clients asking if lenders are still lending, is their property still worth what they paid for it, and what happens when tenants don’t pay their rent. They don’t know if they should contact their lenders, and if so, how should they approach them. This is especially critical when dealing with speculative construction loans and debt workouts with current lenders if the relationship has soured.

In these cases, commercial property owners need to have an advocate for structuring or arranging financing for their properties: someone who represents them—not the lenders—and who understands the processes and terms required to negotiate with a commercial lender which is significantly different than a standard residential real estate transaction. This advice also applies to larger investors who have “over-leveraged” their portfolios, landlords bur-

dened with vacancies and businesses of any size who need to refinance their loans. A good advocate can counsel clients on the most important factors to elaborate on when applying for a loan, as well as what information it is best not to mention.

Ways to Take Action

For anyone thinking about acquiring a commercial property asset in this environment, consider doing the following:

- Review the credit quality of the subject property’s tenants with your real estate broker.
- Identify if the tenants have requested a loan via the CARES Act.
- Ensure that retail tenants on commercial and mixed-use properties have solid financials and a “make sense” business model, especially in this economic environment.
- Secure any prior property reports including appraisals, environmental and engineering inspections that may be available.
- Have upfront preliminary discussions with a lending professional to understand EXACTLY how financing parameters have been impacted by the current market, including “turn around” time in obtaining a loan.

If you decide to purchase a commercial property, be sure to obtain the best legal representation with in-depth experience in commercial real estate transactions, and ensuring they are available from contract negotiations thru closing.

What questions or information should people consider before calling an advocate?

- Should I consider a commercial real estate investment during these uncertain times?
- Does the investment fit into my investment risk tolerances?
- What are the “hot” markets to consider now?
- Is the property I am considering a viable investment, long and short term?
- Will the commercial lending liquidity markets dry up?
- How will the markets deal with the pent-up demand for products and services once this emergency is over?
- How will commercial lenders deal with missed mortgage payments if that happens?
- How can a first-time investor weigh the pros and cons of owning and managing a commercial piece of property as an investment at this time?

During my weekly chat session, Ask Robert, listeners can get answers to these questions or weigh in on the Question of the Week regarding commercial mortgages and how they are affected by the circumstances caused by COVID-19. To submit a question, visit <https://www.mortgage1.com/ask-a-private-lender/>

Robert Withers, president and CEO of M1 Capital Corp., is a respected real estate finance professional with a 30-year track record of providing creative solutions for commercial real estate industry clients. M1 Capital Corp has offices in White Plains, New York and New York City and specializes in acquisition, refinancing outstanding loans, restructuring current debt and delivering smart, effective solutions through a variety of loan options: commercial, hard money, SBA

504 and 7a programs, as well as SPEC Construction Financing, multifamily and commercial debt workouts.

Withers also authors a popular blog, The Equity Strategist, on the M1 Capital Corp. website, www.mortgage1.com. The blog explores all aspects of the real estate finance industry and he shares his expertise and offers advice to those seeking commercial real estate solutions. He can be reached at 866-990-9559 or info@mortgage1.com.

BOARD TALK

Continued from page 12

thanked all the committee members who assisted with the event.

CEO Haggerty then reported on the recent *Newsday* article that uncovered widespread discrimination taking place on Long Island. *Newsday*’s investigation spanned over a period of three years and it highlighted the widespread discrimination engaged in by various agents and notable brokerage firms. As part of its investigation, *Newsday* also audited classes provided by the Long Island Board of Realtors, Inc. and it was discovered that the courses focused on fair housing were severely lacking in content, and did not meet the mandatory minimum number of hours required under New York State Department of State continuing education guidelines. CEO Haggerty pointed out that the *Newsday* piece was excellently done and that it is to be utilized as a tool to teach about discrimination and to end discrimination in real estate. He noted that this should be welcomed as an opportunity to learn and to raise the bar in the industry. Haggerty pointed out that HGAR will be reviewing its own course materials and content, and will be looking to implement additional courses, such as “training the trainer” courses for the faculty, as well as provide additional tools and resources to its members and brokerage firms. CEO Haggerty also made reference to NAR’s new Clear Cooperation Policy and indicated that this new policy will promote more transparency and will, in the long run, protect against discrimination.

Global Business Council

Director Robert Shandley, in his capacity as Chairperson of the Global Business Council, reported on the success of recent events such as the Global Summit held on November 4th at the New York Marriot Marquis in New York City and the Cultural Etiquette Panel, which was moderated by Director Dorothy Botsoe, at HGAR’s Annual Meeting and Members’ Day.

Commercial Investment Division

Director of Marketing Cathleen Stack presented the report on behalf of the Commercial & Investment Division (“CID”). Stack reported that the CID event held on October 31st, where representatives from Robert Martin Co., including Tim Jones, CEO of Robert Martin, were present, was very successful. She also noted that a CID event was scheduled for the following day focused on economic and real estate development in New Rochelle, and would be featuring the Development Commissioner of New Rochelle, Luis Aragon.

Women’s Council of Realtors

Women’s Council President Angie Primus, on behalf of the Westchester Women’s Council of Realtors, reported on the council’s Installation and the newly elected officers. She noted that Nancy Hertz would be President of the Women’s Council in 2020. Primus reminded the Directors that there is a Member Appreciation Breakfast scheduled for December 16th. She further noted that Roseann Paggiotta will be serving as Women’s Council President for NYSAR in 2020. President Primus also thanked everyone who supported her throughout the 2019 year.

HG Realtor Foundation

Director Maryann Tercasio presented a report on the HG Realtor Foundation. Director Tercasio noted that the HG Realtor Foundation still has additional funds to be donated to local charities and not-for-profit organizations and will be meeting in December to make those allocations. She also reminded the Directors about the HG Foundation Holiday Party scheduled for December 5th at the Renaissance Westchester Hotel, West Harrison, N.Y.

Please welcome the new members in your area:

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Continued on page 23

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BCW's Economic Recovery Task Force Looks To Create Action Plan to Help Re-open Economy

RYE BROOK—As New York State prepares to begin reopening its economy in the wake of the COVID-19 pandemic,



**HGAR Chief Executive Officer
Richard Haggerty**

the newly formed Business Council of Westchester's Economic Recovery Task Force is forging ahead with developing a comprehensive plan to provide specific recovery measures and recommendations keyed to assisting Westchester's diverse business and not-for-profit sectors.

The Task Force, comprised of more than 40 leaders from a broad spectrum of economic sectors across Westchester, met on May 5 to begin development of a strategic plan for providing coordinated assistance to businesses as the county's economy reemerges from the unprecedented pandemic. An important initial step will be the convening of a virtual Town Hall meeting for all BCW members (see story on page 6) to solicit their ideas and gain direct input, the Business Council of Westchester stated.

The real estate industry is well represented on the task force and includes Hudson Gateway Association of Realtors Chief Executive Officer Richard Haggerty, Joseph Apicella of Macquesten Development, Bill Balter of Wilder Balter Partners, Greg Berger of Robert Martin Company, Peter Chavkin of Lighthouse Landing Communities, Neil DeLuca of Fareri Associates, John Fareri of Fareri Associates, Tim Foley of the Builders Institute of Westchester, David Garten of RXR, Martin Ginsburg of Ginsburg Development, Larry Gottlieb of Robert Martin Company, Tim Jones of Robert Martin Company, Jeff Nelson of RXR, Kevin Plunkett of Simone Development Companies, Joseph Simone of Simone Development Companies, Jim Surdoval of Ginsburg Development and Budd Wiesenber of CBRE.

"As we emerge from this crisis it is critically important that we have the strategies and plans in place that will let us hit the ground running," said BCW President and CEO Marsha Gordon. "We will work in cooperation and coordination with Governor Andrew Cuomo and Westchester County Executive George Latimer to provide them with specific recommendations based on the suggestions that emerge from our key business sectors."

She added: "We are confident that the impressive group of leaders we have brought together can and will provide the wisdom, insight and creative thinking to enable the creation of constructive and practical plans for moving forward. Clearly, a measured and thoughtful reopening of our economy is crucial to every resident of our county and state and the Business Council of Westchester is fully committed to helping make this happen."

At the state level, Governor Cuomo has formed the New York Forward Re-Opening Advisory Board which includes members of the BCW as the

state pursues a phased plan to re-open New York on a regional basis. County Executive Latimer is leading the county government's response, and Westchester Director of Economic Development Bridget Gibbons is a member of the BCW Task Force.

The BCW's Task Force emerged from its Coalition for Smart Growth in Westchester, which includes the leading real estate development companies working in the county. The Task Force began with a core group of members from that group that has quickly been augmented with representatives from key economic sectors including retail, hospitality, healthcare, biotech, technology, higher education, arts & entertainment, professional services, recreation, finance, insurance, title insurance, transportation, not-for-profit and government.

BCW Westchester Economic Development Task Force Members:

Joseph Apicella, Macquesten Development – Real Estate*

Luiz Aragon, City of New Rochelle – Government

Bill Balter, Wilder Balter Partners – Real Estate*

Greg Berger, Robert Martin Company - Real Estate*

Liz Bracken-Thompson, Thompson & Bender – Marketing/ Communications

Peter Chavkin, Lighthouse Landing Communities – Real Estate*

Robert Cioffi, Progressive Computing - Technology

Tom DeCaro, Benchmark Title Agency - Professional Services/Title Insurance*

Neil DeLuca, Fareri Associates – Real Estate*

Heidi Davidson, Galvanize Worldwide - BCW Board Chairman/Marketing/ Communications

Taryn Duffy, Empire City by MGM Resorts – Gaming/Entertainment



Business Council of Westchester President and CEO Marsha Gordon

John Fareri, Fareri Associates – Real Estate*

Tim Foley, Builders Institute of Westchester – Construction/Real Estate*

Michael Fosina, NewYork-Presbyterian Lawrence Hospital - Healthcare

Susan Fox, Westchester Institute for Human Development – Not-for-Profit

Ken Furst, Levitt-Furst Associates – Professional Services/Insurance

David Garten, RXR - Real Estate*

Bridget Gibbons, Westchester County - Government

Martin Ginsburg, Ginsburg Development - Real Estate *

Larry Gottlieb, Robert Martin Company - Real Estate*

Richard Haggerty, Hudson Gateway Association of Realtors - Real Estate

Jeffrey Haydon, Caramoor Center for Music and the Arts - Arts

Peter Herrero, NY Hospitality Group - Hospitality

April Horton, Verizon – Technology
Tim Jones, Robert Martin Company – Real Estate*

Anthony Justic, Maier Markey & Justice - Professional Services/Accounting

Marvin Krislov, Pace University - Higher Education

Joseph McCoy, People's United Bank - Finance

Sean Meade, Cambria Hotels/Westchester Hotel Association - Hospitality

Jeff Nelson, RXR – Real Estate*

Kevin Plunkett, Simone Development Companies – Real Estate*

Liz Pollack, Cross County Shopping Center - Retail

George Poth, Regeneron Pharmaceuticals - Biotech

Joseph Saccomano, Jackson Lewis - Professional Services/Law

Michael Shiffer, MTA Metro-North Railroad - Transportation

Continued on next page

Two of the Largest Commercial Projects in Orange County History Begin Construction

Continued from page 8

agreement valued at \$20.5 million. The warehouse is expected to create 300 construction jobs and more than 800 jobs within two years of completion.

Meanwhile, Medline Industries Inc. of Northfield, IL, has received its Final Environmental Impact Statement approval and has secured water and sewer permits and is only awaiting site plan approval from the Town of Montgomery. Site work has commenced on the \$120-million, 1.2-million-square-foot facility being developed on 118 acres on the Aden Brook Farm site.

The firm will be relocating from its current facility in Wawayanda to the larger complex. Medline will relocate its current workforce of 340 and plans to add 150 to 200 new positions in coming years. Medline has sold its Wawayanda property to Morgan Stanley.

While the two projects met some local opposition, the tremendous financial benefits both ventures will provide the Town of Montgomery, its school district and Orange County, won the day.

Maureen Halahan, president and CEO of the Orange County Partnership, said, "The fact that we have two of the largest buildings ever constructed in the history of Orange County underway during the worst economic crisis since the Great Recession gives a monumental infusion into our economy and the promise of good jobs moving forward."

Orange County Executive Steven M. Neuhaus said that despite COVID restrictions, the two projects can begin construction. "I am in favor of construction starting at these two sites and many

others in Orange County. I believe that construction workers can socially distance while doing their jobs.

He added, "Every day that goes by that people are not working is another day that is damaging our economic development and our communities," he noted. "Tens of thousands of people in my community and throughout the state are unemployed and their families are suffering and if there is a way for us to bring them back to work in a safe manner and get them back on the payroll that should be our ultimate goal."

Most of the construction work to be performed at the two projects will be performed by local labor. L. Todd Diorio, president of the Hudson Valley Building & Construction Trades Council, said that a host of union trades are working on the approximately \$40 million worth of site work being performed at the Amazon distribution center site. He estimated that approximately 90% of the overall project work will be performed by union labor.

In terms of the Medline project, Diorio noted that site work is expected to commence at the property shortly. The contractor for the site work at both the Amazon and Medline projects is Petillo Inc., which has offices in New Jersey and Middletown, NY.

The site work and concrete work have been bid and will be performed by union tradesmen, Diorio added. He said he is hopeful that the majority of the remainder of the project will also go union.

Diorio said that each project will employ several hundred union workers.

Jesse Greenberg, public affairs direc-

tor for Medline, said, "After a lot of hard work and collaboration with the town, we received our (Final) Environmental Impact Statement approval on March 30, which was a major milestone that we needed to clear and we were very happy that we did."

He said that while the firm is currently awaiting site plan approval from the town, the firm has commenced pre-construction activities at the property, including site preparation. Allston Construction has been retained as the general contractor for the project. The project is expected to take 12 months to complete.

During the approval process, Medline pulled an application for incentives with the Montgomery Industrial Development Agency. The firm does plan to utilize the 485B program with the State of New York. The value of those incentives has been estimated at approximately \$15 million over a 10 year-term.

The two projects are a sign that the industrial market in Orange County and the New York metro region will continue to be strong after the COVID-19 pandemic finally dissipates.

Bluewater Partners, which had no comment on its Amazon project, is moving forward on a number of speculative projects in the region, including a 470,000-square-foot venture in Hazelton, NJ and another 500,000-square-foot project in Central New Jersey. The firm is also building a large development for Amazon in Johnston, RI and is also developing a site in Fishkill in Dutchess County for a grocer that will involve approximately 1 million square feet of warehouse space.

Indian Point 2 Shut Down; Unit 3 Reactor Set to Cease Operations in 2021

BUCHANAN—A day that many business leaders dreaded and environmentalists have hailed came to pass on April 30. The Indian Point Unit 2 reactor was shut down by control room operators at the nuclear power plant complex here by Entergy Corp.

The Indian Point 2 reactor had been in operation for more than 45 years. Entergy reported that the Unit 3 reactor is scheduled to be permanently shut down by April 30, 2021.

“Over the last 45 years, thousands of dedicated professionals have operated Unit 2 at Indian Point—safely, securely and reliably,” said Chris Bakken, Entergy’s Chief Nuclear Officer. “We owe each of them our thanks for a job well done and for their commitment to the highest standards of professionalism.”

Unit 2 began commercial operations on Aug. 1, 1974 and was purchased by Entergy in 2001.

The shutdown of both operating units at Indian Point was announced in 2017 pursuant to a settlement agreement with the State of New York and was the result of a number of factors, including sustained low current and projected wholesale energy prices that reduced revenues as well as the costs associated with relicensing of the two reactors.

As part of its commitment to employees at Indian Point, the company has previously announced a plan to find a position within Entergy for those qualified employees who are willing to relocate. Currently, more than 40 employees from Indian Point have accepted offers to continue with Entergy in other locations.

In April 2019, Entergy announced the proposed post-shutdown sale of the subsidiaries that own Unit 1, Unit 2 and Unit 3 to a Holtec International subsidiary. Holtec and its team plan to initiate decommissioning at Indian Point promptly following regulatory approvals and transaction close in 2021, and it expects to release portions of the site for re-use nearly 40 years sooner than if Entergy continued to own the facility,

Entergy reported.

Holtec, through its affiliate Comprehensive Decommissioning International, will hire Entergy’s employees at Indian Point who have been selected for “Phase 1” of decommissioning.

Entergy owns and operates five nuclear power units in its regulated utility business, and is committed to the continued operation of its nuclear fleet in those locations. Its nuclear power plants in those markets are located in Louisiana, Arkansas and Mississippi, and have more than 5,000 megawatts of clean, reliable, and economic electricity generating capacity for customers in those regions.

Entergy owns and operates power plants with approximately 30,000 megawatts of electric generating capacity, including nearly 9,000 megawatts of nuclear power. Entergy delivers electricity to 2.9 million utility customers in Arkansas, Louisiana, Mississippi and Texas. Entergy has annual revenues of \$11 billion and approximately 13,600 employees.

In response to the closure, New York State Senator Pete Harckham and Assemblywoman Sandy Galef issued a joint statement vowing to continue their strong support for workforce protections, local investments and rigorous oversight while the Indian Point Energy Center undergoes its decommissioning process.

“The decommissioning of a nuclear power plant is very new to the State of New York—the process is complicated, dangerous, and plays out over decades,” said Galef. “While the individual stakeholder may come and go, the state will be able to act on behalf of New Yorkers through a newly proposed oversight board comprised of New York State agency heads. The state has the authority, the resources, the expertise, and the desire to be an active participant and to ensure that the best interest of New Yorkers is always in mind. In a new industry with few rules and less oversight, New York State will lead by example and



The Indian Point 2 nuclear reactor was shut down on April 30. The Indian Point 3 reactor is scheduled to close on April 30, 2021.

ensure accountability.”

Harckham added, “The closing of Indian Point will impact the region and its residents in many ways, and being prepared to mitigate the economic effects while also safeguarding our environment needs to be a priority. If we don’t put in due diligence now, there will be little to no chance to reverse or correct mistakes made and harmful situations that arise. Assemblywoman Galef and I both understand what is at stake here—and why appropriate actions are necessary now. We’ll make our legislative efforts a top priority and do everything possible to make sure they get passed in this session.”

Last year, Galef and Harckham both introduced legislation, which went unsigned by the governor, to minimize the negative impact to the workforce during this transition by requiring the decommissioning company to hire from the existing pool of Indian Point workers first. It also declared the energy facility to be a prevailing wage site, so employees will be paid commensurate with what they are making now. This legislation was resubmitted to both the Assembly and Senate earlier this year.

The financial implications to the local

community from Indian Point’s closing are expected to be sizable. The municipal tax base and local school district funding have long been supported by the energy facility, and maintaining a good portion of that support is crucial, especially in light of unforeseen municipal costs incurred during the Novel Coronavirus pandemic, the two lawmakers noted.

To steady tax revenues for the Town of Cortlandt, Village of Buchanan and Hendrick Hudson School District during the transition, legislation has been introduced to include spent fuel and the fuel casks at the nuclear facility as part of its real property tax assessment. Otherwise, market value of the non-operating plant will adversely affect the assessment and create an unmanageable revenue gap for these tax-funded entities. Similar legislation was introduced last year but did not advance to the governor.

Galef and Harckham have also introduced legislation to create a statewide board to oversee the decommissioning of Indian Point. This legislation (A.10236 / S.8154) would bring New York State to the table to oversee and monitor the decommissioning of any nuclear plant in the state.

BCW’s Task Force

Continued from previous page

Joseph Simone, Simone Development Companies— Real Estate*

Howard Stein, Small Business Development Center- Small Business

Edward Stoppelman, Red Oak Transportation -Transportation

Joseph Stout, Westchester Parks Foundation – Recreation

Jim Surdoval, Ginsburg Development - Real Estate*

Geoff Thompson, Thompson &

Bender - Marketing/Communications

Mark Weingarten, DeBello Donnellan & Weingarten – Professional Services/Law*

Budd Wiesenberg, CBRE - Real Estate

Roger Woolsey, Million Air – Transportation.

*Member BCW Coalition for Smart Growth in Westchester

Thank You

To all those on the front lines of this pandemic, First Responders, Medical Professionals, Doctors, Nurses, Hospital Workers, Paramedics, Police and Fire Departments, and all essential workers, we will never forget your extraordinary efforts.

We are all so grateful.



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DiNapoli: April Sales Tax Collections Decline More Than 24% After COVID-19 Shutdown

ALBANY—Local sales tax collections dropped 24.4% in April compared to April 2019, leaving many of New York’s local governments grappling with shortfalls, according to a report released recently by New York State Comptroller Thomas P. DiNapoli.

Sales tax collections totaled \$1.02 billion in April. Plummeting sales tax collections were widespread, leaving counties, cities and some other local governments short by approximately \$327 million compared to last year. Although the first quarter of 2020 was relatively strong, March sales tax collections had already begun to show the impact of the COVID-19 shutdown—a decrease of 3.7% statewide with the largest declines downstate. The April figures show shrinking revenues for local governments throughout the state.

“The Coronavirus has hurt household finances, and the April sales tax figures show how deep it is cutting into municipal finances,” DiNapoli said. He later added, “The federal government needs to provide assistance to those hit hard by this virus or the budget cuts could be severe in some communities.”

Social distancing protocols were established with the “New York State on PAUSE” initiative, which has shuttered non-essential businesses and offices since March 22. A halt to travel, the decline in retail activity and the large and growing numbers of New Yorkers who have lost their jobs have restricted business activity.

Every county in every region of the state saw a large drop in April collections. New York City experienced a 23.1% decline, amounting to \$141.8 million in lost revenues for a single month. Unknown at this time is how collections are impacted by consumers’ growing reliance on e-commerce shopping for products that are now subject to state and local sales taxes.

The least severe, though still substantial decline in sales tax collections occurred in the Mid-Hudson Region (-21.5%). The Capital District had the most severe decline (-28.8%). Outside of New York City, the state’s 57 counties had a decrease in collections of \$159.5 million compared to April 2019.

In addition, 17 cities (not including New York City) impose their own general sales tax. April collections were down \$5.7 million in April in aggregate compared to April 2019. Nearly every city saw large losses ranging from a decline of 20.1% in White Plains to a decrease of more than 37% in Gloversville. A few cities tax only specific goods or services. Most cities, towns and villages and some school districts also rely on sales tax revenues to support their operations, through sharing agreements with their counties.

The New York State Association of Counties announced on May 8, counties received their first installment of sales tax directly related to the first month where the

statewide lock down on economic activity was in effect. In aggregate, the county sales tax collections compared to the same period last year were down about 26%. This ranges from about 16% to nearly 37% by county (not including tax rate changes).

The new sales tax data bolster the estimates made under the “severe recession” scenario outlined in NYSAC’s recently updated “Coronavirus Economic Impact on

Counties” report, which projected decreases of 22% over the next year.

NYSAC noted that this is a rapidly developing economic situation and revenue conditions could change in either direction quickly.

“These new numbers lend extra weight to what we were already predicting, that the bottom has fallen out from under local governments just as they’re beginning to gain ground against the Coronavirus and making plans for reopening,” said NYSAC President John F. Marren. “Counties will continue to work with our state and federal partners to secure the funding necessary to maintain essential services and build the foundation

County	% Change in Sales Tax	
	March	April
Dutchess	-17.3	-27.0
Orange	+6.6	-25.2
Putnam	+2.7	-23.6
Rockland	+4.3	-30.6
Sullivan	+53.0	-32.1
Westchester	+25.1	-8.9
Cities		
Mount Vernon	-10.4	-32.0
New Rochelle	+6.2	-27.4
White Plains	-19.9	-20.1
Yonkers	+6.2	-30.1

Source: New York State Comptroller’s office

for a resilient recovery.”

These numbers come on the heels of an updated report released recently on the economic impact of the Novel Coronavirus on New York’s counties that projects potentially catastrophic drops in revenue between \$1.5 billion to \$3.6 billion over the next year.

The report details how counties face a quadruple threat of:

- Declining local revenues, especially sales tax, but also hotel occupancy taxes, mortgage recording taxes, gaming revenues, among other revenues;
- Higher spending necessary to respond to the health emergency and meet the state’s requirements for reopening;
- The loss of state reimbursement; and
- The potential of significant losses for small businesses on main streets that could threaten jobs and the property tax base over the short to mid-term.

“This is having an immediate and dramatic impact on local government operations as county officials assess cash flow needs and update their revenue projections for the coming year,” NYSAC Executive Director Stephen J. Acquario said. “Counties are reviewing all options, including hiring freezes, workforce furloughs and temporary layoffs, delaying infrastructure projects, halting new procurement and other essential and non-essential services and community improvements, among other cost savings measures—all while addressing the public health and safety emergency before us.”



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Reopen Putnam Safely Task Force Gets to Work With County, Towns, Villages, Businesses, Elected Officials

PUTNAM POSTING

By Jennifer Maher



On Friday, May 8th, the Putnam County Business Council launched a "Reopen Putnam County Safely" Task Force, which gathered a cohort of town, village, and business stakeholders for an initial meeting to discuss the reopening of Putnam County.

Representatives from Carmel, Southeast/Brewster, Kent, Patterson, Philipstown/Cold Spring and Putnam Valley were joined by retail and service businesses, as well as non-profits, to give input to the Reopen Putnam Safely Task Force.

In support of the county's Small Business Advisory Committee and the latest Phase 1 Reopening Guidelines set forth by New York State, the mission of the task force in the initial reopening phase is to help businesses understand and adhere to the guidelines, access training and other support that is available to them, so the business community is in a state of compliance and readiness when Putnam is set to reopen.

There is Good News

As of this writing, the North Country will join the Finger Lakes, Southern Tier, and Mohawk Valley in reopening on Friday, May 15th. These regions have met all seven metrics required to begin phase one of the state's regional phased reopening plan.

Phase one includes reopening construction, manufacturing, retail for curbside and in-store pickup, agriculture, forestry, and fishing. On May 13th, Governor Cuomo released clear and specific guidelines for Phase 1 industries.

We are confident that similar guidelines are forthcoming for all industries across all reopening phases.

What You Need to do Now

Businesses, particularly those designated as a Phase 1 industry, should view the summary guidelines, affirm the Safety Plan Template, Print and Display your plan so it is visible to the public. Adopting the industry Phase 1 guidelines will work towards preparing your business NOW. To date, Putnam County has achieved five out of seven benchmarks to enter Phase 1. Other regions are beginning to open and we believe we are right behind them. If we continue to practice social distancing, wear masks and use hand sanitizer, as recommended, I think we can get to Phase 3, possibly by the end of the summer.

Access the new Reopening Phase 1 Industry Guidelines here: <https://forward.ny.gov/>

Next Steps For Task Force:

- Town & Village Supervisors/Mayors will collaborate and meet to share strategies and unite on reopening guidelines and tactics.
- Weekly calls with County Executive on Fridays with the supervisors, mayors, Board of Health, EDC, and Tourism.
- Develop a list of needs from the municipalities and businesses, including masks, gloves, shields, signs, training, technology, etc.
- Source items and create an online list of personal protective equipment (PPE) and other small business resources that are available.
- Investigate if towns and the county can purchase equipment in bulk to reduce costs.
- PCBC will provide training and education opportunities.
- The Task Force scheduled a Public Town Hall Forum Monday 5/18 at 9 a.m. via ZOOM to hear from as many businesses as possible on what their needs are to reopen safely. Go to Putnamcountybusinesscouncil.com to register.

TASK FORCE MEMBERS

Town and Village Representatives
 Richard Williams, Town of Patterson NY-Supervisor
 Sam Oliverio, Town of Putnam Valley NY- Supervisor
 Kenneth Schmitt, Town of Carmel Supervisor
 Village of Brewster, Mayor Jim Schoenig Mayor

Maureen Fleming, Town of Kent Supervisor
 Robert Flaherty, Trustee Town of Philipstown
 Fran Murphy, Trustee Village of Cold Spring
 Lisa Mechaley, Trustee Village of Nelsonville

County Representatives

Bill Gouldman, Putnam County Legislator/ Chair of Economic Development

Business Leaders

Bill Nulk, Putnam County IDA
 Jennifer Maher, Chairwoman Putnam County Business Council
 Nat Prentice, Putnam County Business Council/
 Cold Spring Chamber of Commerce
 Rose Aglieco, Brewster Chamber of Commerce
 Michael Celestino, CEO of the Mahopac Carmel Chamber of Commerce

Businesses and Not For Profit Representatives

Caryn Cannova, Kismet Owner, Retail
 Joe Ciatto Business, Owner, Worlds Gym
 Jim and Patty Rathschmidt, United For The Troops
 Sabrina Cruz, Ultimate Auto Dealing
 Stacy Tompkins, Tompkins Excavating
 Nick D'andrea, Business Owner, Park Ford
 Candice Sciarrillo, Non-Profit Organization, Equestrian Therapy
 Rick Megna, Business Owner Restaurant, Savor Restaurant
 Johnny and Nicky Crecco, Villa Barone Owner
 Tina Sherwood, Owner, Downey Oil Company

Jennifer Maher is chairwoman, the Putnam County Business Council and currently serves as the president of the Putnam/Westchester Chapter of the New York State Commercial Association of Realtors.

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BOARD TALK

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Affiliate

Todd Colthorp
 Elm Street Technology
 PO Box 10768
 Greensboro, NC 27404
 517-214-3333

Sherif Elshoubri
 Bowery Valuation Inc.
 61-63 Crosby St, Fl 3
 New York, NY 10012
 212-634-9397

Ted Fisher
 National Disinfection Services
 800 Westchester Ave., Ste. 641
 North Rye Brook, NY 10573
 833-817-6591

Joseph Tomanelli
 Air Environmental Consulting
 3 Neptune Rd., Suite A29
 Poughkeepsie, NY 12601
 845-462-0200

Ron Zuba Jr
 M & T Bank Mortgage Division
 1769 Route 52
 Fishkill, NY 12524
 845-440-2851

Realtor

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Dorian Ramos
 Keller Williams Realty Group, Scarsdale

Martin Rodriguez
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 Curasi Realty, Inc., Montgomery

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 BHG Rand Realty, Bronx

Stephen N. Soliman
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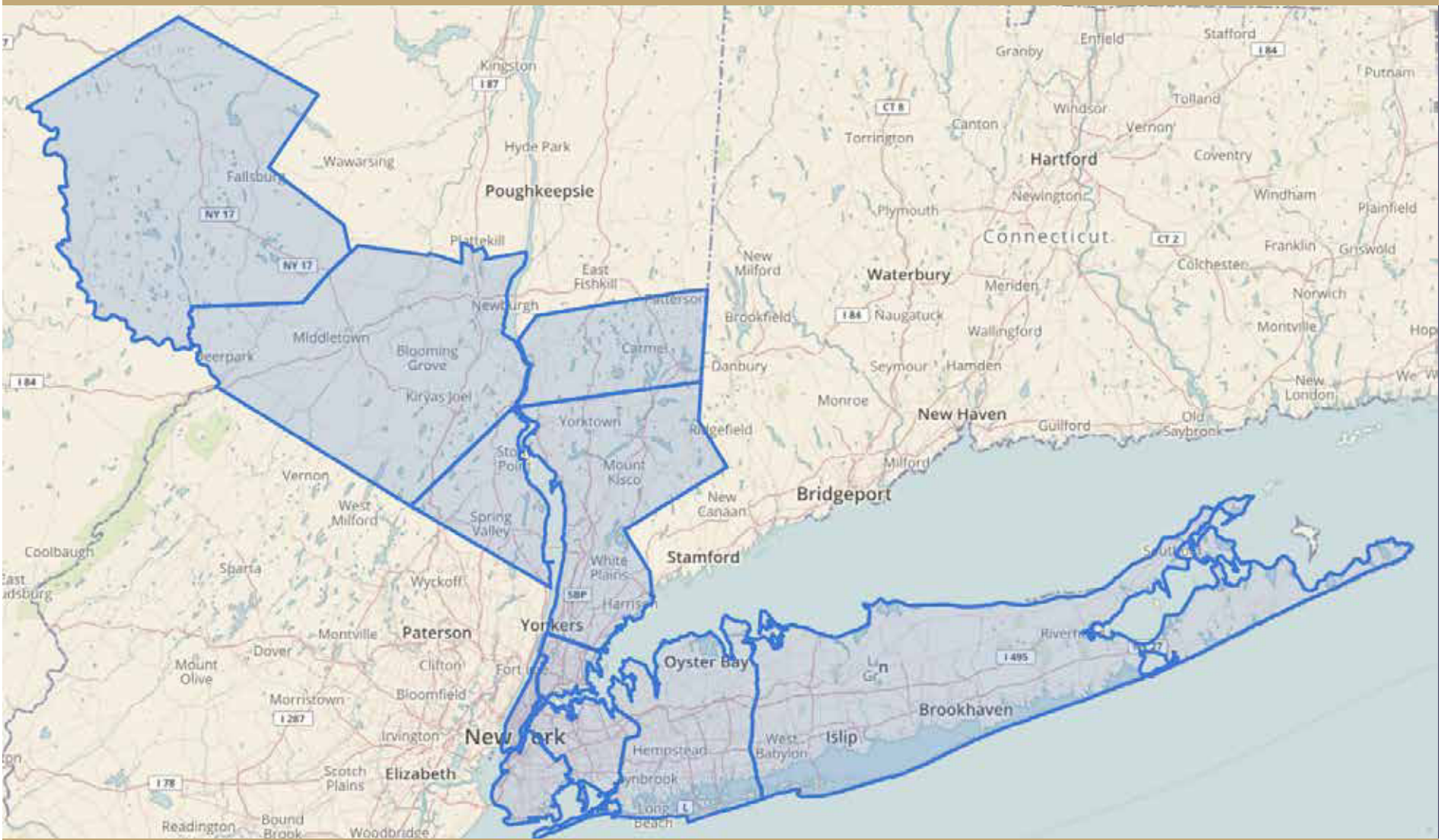
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