

Astorino Defies County Board in Filing Indian Point Suit

By John Jordan

WHITE PLAINS—If the Westchester County Board of Legislators wouldn't take on Governor Andrew Cuomo and Entergy on the deal reached earlier this year to close Indian Point, Westchester County Executive Robert Astorino decided he would do it on his own.

Astorino announced on May 9th that he had filed suit against New York State, Entergy and others over the pending closure of the Indian Point Energy Center in Buchanan.

Astorino filed two lawsuits individually and in his capacity as Westchester County Executive, charging that New York State and Indian Point Nuclear Power Plant 2 and 3 operator Entergy Nuclear failed to comply with New York State's environmental laws when it announced the closure of the power plants in January.



Westchester County Executive Robert Astorino details the reasons behind the litigation filed against New York State and others concerning the Indian Point Energy Center closure agreement reached earlier this year.

"Our lawsuit has nothing to do with the debate over nuclear energy," said Astorino at a press conference at his office in White Plains. "It has to do with safety and the rule of law. Ultimately, the issue isn't whether Indian Point stays open. It's that any plan to close the plant must fully comply with the law."

The Article 78 proceedings charge that Governor Cuomo, Entergy and environmental watchdog group Riverkeeper failed to comply with the New York State Environmental Quality Review Act when they reached the agreement but failed to study the economic impacts the closure will cause to Westchester and the region. The lawsuit seeks to invalidate the closure agreement until a full environmental review is conducted.

The second Article 78 filing challenges the state's issuance of a State Pollutant Discharge Elimination System permit and a Water Quality Certification permit that were both issued to Entergy on Jan. 9, the day of the closure announcement.

The County Executive had announced in early April his administration's intent to file litigation against New York State and others over the Indian Point closure. However, the Republican County Executive failed to secure any support from the Democratic majority of the County Board of Legislators to allow the lawsuit to be filed. The County Executive said that the litigation filed by him individually and as County Executive will not result in any taxpayer expense. Rather than be handled by county government legal staff, the case will be litigated by the Philip Halpern, managing partner of the White Plains-based law firm Collier, Halpern, Newberg & Nolletti, LLP. The County Executive noted that the county faced a deadline of May 9th to file suit, while the second litigation regarding the permits has a deadline of Aug. 24, which could allow other interested parties to join the suit. He said there would be no costs to the

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New York City Building Boom Fueled By Expected 421-a Successor Law

By John Jordan

NEW YORK—The multifamily development floodgates opened last year when developers put their money on the State Legislature enacting a replacement for the 421-a tax incentive legislation.

New York Building Congress president and CEO Carlo A. Scissura believes that developers bet on New York State passing a new 421-a tax incentive program this past legislative session that subsequently sparked a dramatic rise in new residential building permits in the first quarter of this year.

While the "Affordable New York" successor to the 421-a legislation, did not get enacted until the 2018 state budget passed on April 10, Scissura said that he believes developers moved forward with plans based on their expectation of a successor 421-a tax break and filed building permits with the city.



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Danone Exec. Talks Up Westchester And Evolving Global Food Industry

By John Jordan

TARRYTOWN—Danone's US operations headquartered in Westchester County have been making national as well as local news of late that has involved a multi-billion dollar acquisition that more than doubled its size and an impending move of its corporate headquarters from Greenburgh to Downtown White Plains.

Danone President, USA Yogurt Sergio Fuster detailed the latest news from the dairy company in a one-on-one interview with Business Council of Westchester President and CEO Marsha Gordon. The event, held at the Castle Hotel and Spa in Tarrytown on May 2nd, was part of the People's United Bank Leadership Conversation Series.

Fuster related that the firm now operates under its new name DanoneWave, after Danone's \$10-billion acquisition of soy-milk producer WhiteWave Foods last month. The combined firm now employs more than 6,000 workers and boasts more than \$6 billion in



From left, Business Council of Westchester President and CEO Marsha Gordon and Danone President, USA Yogurt Sergio Fuster.

annual revenue. He noted the deal also marked DanoneWave being approved as the largest public benefit corporation in the nation.

Fuster at times drew applause sharing some of DanoneWave's forward-looking corporate principles. For example, the company, which says it would like to change the world, seeks to have its employees work as entrepreneurs and does not penalize workers for their failures.

"We empower our people to make things happen," he said. Fuster later

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HG Realtor Foundation Pub Night, Fortina, April 18th



From left, Paul Russo, Bonnie Koff, Dorothy Botose, HGAR President, and Phyllis Marcus



PHOTOS BY JOHN VECHIOGLIA

From left, Sebastian D'Acunto, Esq., Veronica Franciosa, Sarah Croak and Robert Shandley



From left, Donald Arace and Cheryl Cohen



From left, Carol Christiansen and Terri Crozier



HGAR Members served as volunteer bartenders.



Deb and Lou Budetti



From left, Lin Crispinelli, Stephanie Liggio and Kerry Fedigan



Micah Curtis and James Lloyd



From left, Stacey Sporn, Justin Friedland and Michael Norton



Bonnie Koff and Pat Sposato



From left, John Crittenden, Sarah Hughes and Barry Kramer



From left, Anil and Meghana Soman



More than 150 people attended the HG Foundation Pub Night at Fortina in Armonk, raising almost \$7,200 for the Foundation.

Court Says County Engaging in ‘Total Obstructionism’

By John Jordan

NEW YORK—The Second Circuit Court of Appeals in a unanimous ruling found that Westchester County has failed to comply with certain requirements of the 2009 fair housing court settlement.

In a scathing rebuke of the county’s long-held arguments to the contrary, the Second Circuit Court upheld previous federal district court rulings that the county had breached the fair housing settlement by not completing an acceptable analysis of impediments to fair housing choice (AI) as well as failing to use “all available means as appropriate” to address the opposition to the 28-unit Chappaqua Station affordable housing development in the Town of New Castle.

In its April 28th ruling, the Second Circuit ruled, “We note that these consolidated appeals are the sixth and seventh appeals by the county from the district court’s ongoing efforts to ensure the county’s compliance with its obligations under the Consent Decree. All of these appeals have been rejected, and it is apparent the county is engaging in total obstructionism.”

Earlier in the month, HUD rejected for the 10th time the county’s AI submission.

The three-judge appeals panel concluded its ruling by stating, “The county would be well-advised to stop making excuses, and to complete its obligations under the Consent Decree with



Westchester County Executive Robert Astorino had hoped for better relations between the county and U.S. Department of Housing and Urban Development since the Trump Administration took office. However, early indications show little change in the sometimes acrimonious relationship.

diligence and dispatch.”

Westchester County released a statement by Ned McCormack, communications director for Westchester County and senior advisor to County Executive Robert Astorino, on the Second Circuit’s ruling. “We are surprised by the court’s comments given the county’s

continuing efforts under the direction of Judge Cote to conclude the settlement. In December, the county exceeded the fundamental goal for developing affordable housing units. The settlement required 750 units and the county proudly delivered 790 units within the required time frame and has additional 100 units in the pipeline.”

He added that the county has worked with Judge Cote since her rulings in the summer of 2016 and with the new Housing Monitor Stephen Robinson and consultant VHB to complete its two obligations—the “One Community” educational campaign and the Analysis of Impediments.

“Given that the One Community campaign is already under way and the monitor-approved consultant, VHB, has found no evidence of exclusionary zoning based on race, we are confident the remaining requirements can be met and the settlement concluded in a timely manner,” McCormack stated.

Members of the Democratic caucus of the Westchester County Board of Legislators said it is time to end what they termed as a “wasteful quarrel” with the U.S. Department of Housing and Urban Development, as well as with the federal courts.

The caucus is also calling for an open Committee of the Whole meeting with

the Housing Monitor Robinson to discuss what the board can do to move forward with complying with the fair housing case consent decree.

“To save taxpayers from thousands of dollars in fines, we have no choice but to explore all actions we can take due to the County Executive’s total obstructionism—which were the court’s words, not mine,” said County Board of Legislators Majority Leader Catherine Borgia (D-Ossining).

Legislator MaryJane Shimsky (D-Hastings-on-Hudson) added, “It is time for the County Executive to stop using affordable housing as a political football, and get to work on a document that will end the county’s risk of more fines. Sometimes it seems as if the County Executive does not want the lawsuit to end.”

Westchester County Board of Legislators Chairman Michael Kaplowitz (D-Somers) said County Executive Rob Astorino was taking a big gamble in his continued battle with HUD over the settlement terms, according to a report in the *Journal News*.

He said in the published report, “No one knows in the end whether the court will order huge fines, penalties or the interception of federal aid, or maybe even worse—a new housing settlement, a reopening of existing settlement case and starting the process all over again.”

Astorino Defies County Board in Filing Indian Point Suit

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county unless approved by the Board of Legislators.

“The closing of Indian Point will likely trigger catastrophic consequences, while creating a zombie property doomed to be a nuclear waste cemetery for the entombment of spent fuel rods for many decades if not generations,” Astorino said at a press conference in White Plains.

Among some of the issues Astorino said need to be addressed include whether sufficient energy sources will be available to replace the loss of 2,000 megawatts of electricity (which supplies roughly 25% of the current energy to nine million Westchester and New York City residents) and how much will electric bills rise due to the closure and how will that impact residents and businesses in the region. The County Executive also pointed to the \$72 million in Payment in Lieu of Taxes losses that will be felt by Westchester County, the Town of Cortlandt, the Village of Buchanan and the 2,500-student Hendrick Hudson School District.


In response to local criticism of the surprise closure, Gov. Cuomo announced on Feb. 28 the formation of an Indian Point Closure Task Force to study the economic impacts the closure will cause.

Astorino was critical of Democratic county legislators for failing to get behind his call back in April to file suit. Majority Leader and Democratic legislator Catherine Borgia said in a prepared statement, “The County Executive’s political ambitions are clearly more important to him than the taxpayers of Westchester. He has once again

made known his intent to use taxpayer-funded resources—without Board of Legislators Approval—for a frivolous lawsuit he knows we can’t win. Any uni-

lateral attempt to use outside counsel on behalf of the taxpayers is in violation of our county’s charter. The surrounding communities are better served by bring-

ing all sides together to work on real economic and environmental mitigation solutions; and that is what Democrats are focused on.”



Don't Forget!

Grievance Deadlines

WESTCHESTER
All Westchester Towns as well as the Cities of New Rochelle, Peekskill, Mt. Vernon, Rye.
Third Tuesday in June.


ROCKLAND
All Rockland Towns.
Fourth Tuesday in May

PUTNAM
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PRESIDENT'S CORNER

By Dorothy Botsoe, HGAR President



Our Victories Require Hard Work and Participation

"Go out on a limb. That's where the fruit is." – Jimmy Carter

It's May and our real estate season is off to a good start! But to keep bearing "good fruit," we must keep the pressure on our state legislators to promote our agenda and I urge all Realtors to come together for our LOBBY DAY trip to Albany on May 23rd to show our support for their efforts to help us continue to be a positive force in the industry.

Part of our ongoing work is to make sure Realtors remain the first and central point of contact in the real estate transaction. As your professional association and with the influence of RPAC—we can do that. And besides, I firmly believe that what's good for Realtors is good for the American people.

Homeowners, and homeownership, have gained a tremendous boost from our successful efforts in such areas as preserving the mortgage interest deduction and advocating for new financing options. Our battle to keep banking conglomerates from taking over every aspect of the real estate transaction is another battle that we have waged and won on behalf of Realtors and the American public. These successes were made possible with contributions to RPAC.

Every legislative effort we undertake—whether on Capitol Hill, in state capitals, or at local city and town halls—is made possible through the Realtors Political Action Committee. In case you aren't aware, just 30% of RPAC donations are forwarded to the National Association, with the balance left for use in state and local elections.

Which candidates benefit from RPAC support? In the past year or so, NAR leadership has coined the phrase the "REALTOR® Party." The philosophy behind it is simple: Through RPAC, we back candidates who support the Realtor agenda, regardless of their party affiliation. This is the power of working together at its best.

We believe that message has carried a lot of weight with you. Just a few years ago, participation in RPAC was at about 25%. However, I believe, to be even more effective we need to continue raising our RPAC participation level. We're striving to reach 50% annual participation by Realtors and I frankly hope we far exceed that percentage this year. It's simply unfair that fewer than half our members carry the weight of supporting RPAC.

Please take the time to contribute your fair share and carry this message to others you know who haven't participated. In doing so, we'll continue to ensure that the collective voice of Realtors is heard loud and clear by our elected officials.

Perhaps that sounds self-serving to some. To my ears, it sounds like an effective way to maintain the strongest cog in our nation's economy. From the mortgage interest deduction, the STAR program, to property tax reform, RPAC protects our business with consumer advocacy and fights for our industry and keeps eyes out on current, pending, and proposed legislation that will impact our business and how we conduct our day-to-day business.

Our success as Realtors is about the consumer and making sure that the consumer is protected and has the right to maintain their property rights. We, as Realtors, must remain vigilant and be aware of any situation that will adversely impact our consumers who are our buyers and sellers, and the new incoming buyers or people thinking about becoming home owners.

Our RPAC dollars go a long way to make sure that we support Realtor-friendly legislators who understand our causes and help us protect the consumer's rights to home ownership and our rights as their representatives in the process.

I challenge each and every fellow Realtor to make the investment in your business and your industry. We cannot do this without you and in order for our voices to be heard we must come together as one. #We are the World"

One of my goals as President this year is to make sure we are able to reach the threshold of participation by a majority of our HGAR family of Realtors and also meet our goal that has been set for us. We made our RPAC goal in 2016 but missed the mark in participation goal by our membership. Look around you and do not think

that the next person beside you will contribute because they make more money than you. It is all about you and your success in real estate.

I need you and we need each other. You can make a pledge and call me at 914-450-0600 or e-mail me at DOROTHY@DOROTHYJENSENREALTY,INC and I will be happy to stop in for a few minutes to chat, have a cup of tea, and pick up your pledge and share my enthusiasm for RPAC with you and discuss why I personally make impactful donations. It is not only about the causes we fight for but also the rights RPAC helps us gain in our daily business transactions.

This is my one and only job as a Realtor, and I must encourage all of us to fight the fight for the preservation of property rights and home ownership.

Please, I urge you to join me on our Lobby Day trip to Albany on May 23rd to talk to our legislators and impress upon them our concerns and provide support to them in their support of our industry. We can do this together and keep the pressure on for positive change.

Looking forward to seeing you on the bus soon!

GATEWAY PERSPECTIVES



Déjà Vu All Over Again

I know. We often sound like a broken record. "Please contribute to the Realtors Political Action Committee (RPAC)—It's your safety net and insurance policy concerning Realtor issues and homeownership interests." "Please respond to NAR's most recent call to action—you need to let your legislative leaders know how important maintaining the mortgage interest deduction is, or how vital it is to preserve commercial section 1031 like kind exchanges." I know. We must occasionally sound like Henny Penny proclaiming that the sky is falling down. "Please call your Congressional representatives and let them know how important it is to renew and strengthen the federal flood insurance program." "Please contact your senators and let them know we are not out of the woods yet and need to extend the Mortgage Debt Tax Forgiveness provision for another year."

I know. It can seem a bit much. It can seem relentless. In the immortal words of Yogi Berra, it can seem like "déjà vu all over again." It's easy to wonder if our voice even makes a difference. Does one call to action even matter? Are our RPAC dollars even relevant? I know. But here's the thing, our RPAC dollars do make a difference—a big difference. Our voices are heard. Our calls to action do matter. Ultimately, and most importantly, I truly believe that our Realtor issues and issues related to protecting and promoting homeownership are not just important to our industry, they are vital to the health of the economy.

It's ultimately our job to be relentless. It's our job to be constantly at the forefront of issues like preserving the mortgage interest deduction and property tax deduction. It's our job to make sure our collective voices are heard and, for that, we need your help.

The current majority party in Congress has promised the first comprehensive tax reform bill in decades. There could be many benefits to reforming and perhaps simplifying the tax code, but such reform should not be done at the expense of homeownership. While there is not yet any tax reform legislation introduced in the current Congress, the President has proposed a broad outline for tax reform that does raise some cause for concern, including the proposal to eliminate the property tax deduction and potentially minimize the benefits of the mortgage interest deduction. NAR speculates that if such proposals were codified they could result in a broad devaluation of real estate in the range of 10% or more.

So, it may seem like déjà vu all over again, but we cannot afford to let down our guard. This is a critical juncture and we must be vigilant. So please, contribute to RPAC, respond to calls to action, and involve yourselves in discussions with your neighbors, friends and co-workers about the importance of tax provisions that protect and promote homeownership—the bedrock of our economy. If you do that, collectively we can and will make a difference.

Westchester Pavilion Project Begins



PHOTO BY GARY CONNOLLY

Demolition work has begun on the Westchester Pavilion in Downtown White Plains, the former home of the Hudson Gateway Association of Realtors. In its place, Lennar Multifamily will be building a multi-tower mixed use project.

REAL ESTATE IN-DEPTH

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The DOS: The Renewal Or Revocation of a Real Estate Licensee's License

The renewal process for a real estate licensee is usually a simple one. A licensee receives an e-mail alert and is prompted to renew his or her license online. The licensee signs in, answers a few relatively straightforward questions and submits the credit card information in order to pay the renewal fee. However, if any false or incomplete answers are provided it will likely result in the eventual revocation of the agent's license.

Another scenario that could lead to a termination or revocation of a license is where the applicant has been convicted of a crime, is involved in a pending criminal proceeding or has had a separate license revoked by a different agency. While revocation in any form is certainly not welcome by anyone, it is especially devastating when a principal broker's license is revoked, as this will automatically cause the license of every salesperson and associate broker associated with that principal broker to be suspended as well. This would have a devastating effect on hundreds, and in some instances, thousands, of agents.

Renewal Application: Simple Questions, Or Are They?

There are three basic sets of questions asked during the renewal process.

One deals with whether or not the licensee has completed the 22.5 hours of continuing education (CE.), including three hours on fair housing and one hour of agency or two hours of agency if it is a first renewal by a salesperson, or whether the individual qualifies for an exemption. Unfortunately, many licensees fail to complete the CE. requirements and falsely affirm, when renewing online, that they have completed all required CE. This is a very common reason for revocation. Licensees need to be aware that the Department of State Division of Licensing Services randomly requests that proof of completion for the required CE be submitted. This has been a more frequent occurrence lately.

Another set of questions deal with whether the licensee owes child support or if there is a pending action relating to child support payments. Again, the questions must be answered truthfully. If it is found that a licensee has provided a false response or has failed to make child support payments, this too, will be a reason for revocation or non-renewal.

Finally, there is a set of questions that deal with whether the licensee has been convicted of a crime, whether there is a criminal proceeding pending or if the licensee has had another license revoked. A licensee is required to divulge anything that has occurred or is pending worldwide, not just in New York State. The questions read as follows:

Since your last application, have you been convicted of a crime or offense (not minor traffic violation), in this state or elsewhere or has any license, permit, commission, registration or application for a license, permit, commission or registration held by or submitted by you or a company in which you are or were a principal been revoked, suspended, or denied by any state, territory or governmental jurisdiction or foreign country for any reason?

Or:

Are there any criminal charges (misdemeanor or felony) pending against you in any court in this state or elsewhere?

It is important to note that even when the applicant tells the truth about a crime or other issue, that person still runs the risk of having his or her license revoked. If a licensee responds affirmatively to any of the questions described above, he or she is required to "...submit a written explanation describing the place, court jurisdiction, nature of the offense, sentence and/or other disposition. The licensee must also provide a copy of the accusatory instrument (e.g., indictment, criminal information or complaint) and a Certificate of Disposition..." to the DOS Application Audit Unit. In addition, if the licensee has received a Certificate of Relief from Disabilities, Certificate of Good Conduct or Executive Pardon, then such documentation would also need to be submitted. The latter documents are helpful, although not dispositive, in the DOS decision-making process.

In the event the DOS decides not to renew a license, it will immediately revoke the existing license. Unfortunately, once the license is revoked, the licensee's only right is to appeal the DOS's decision through an administrative proceeding and appear before an Administrative Law Judge.

What is the Licensee's Burden For Reinstatement?

Once the DOS has decided not to renew or to revoke an individual's license, the burden is on the licensee to prove, by substantial evidence, that he or she is en-

IN MEMORIUM

The Hudson Gateway Association of Realtors regrets to inform its membership of the passing of Orange County Realtor and developer Harold "Hal" Kahn on May 10, 2017.

Born on March 19, 1939 in Paterson, NJ to Joseph and Gertrude Kahn, his family relocated to Newburgh in 1945 where he remained a lifelong resident and active member of the community.

He married Barbara Moses in 1961 with whom he shared 56 happy years of marriage. After graduating Newburgh Free Academy in 1957, he attended the University of Buffalo where he studied Business Administration. Hal served in the military as a Staff Sergeant for the 854th Battalion of the U.S. Army and later as a combat engineer for the National Guard.

Hal began his professional career forming Barcon Construction and found his calling in land use, design and development. He broke ground on his first development in the Town of Newburgh, aptly named "Barbara Court" after his wife. Hal would go on to establish and operate one of the first and largest real estate conglomerates in the area, its many successes based upon his character, reputation and work ethic. In 1967 he founded Kahn Inc. Realtors, a single office on 388 Broadway above the Seaman's drug store. By 1974 Kahn's notable successes were recognized by the Orange County Association of Realtors who awarded him its highest honor—Realtor of the Year.

His business diversification began in 1975 with the establishment of Appraisal

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LEGAL CORNER

By John Dolgetta, Esq.
HGAR Legal Counsel



titled to be licensed as a real estate broker, associate broker or salesperson. In the *Matter of Lin* (100 DOS 16, February 26, 2016), the ALJ explains that "[s]ubstantial evidence is that which a reasonable mind could accept as supporting a conclusion or ultimate fact." An agent must, through testimony and other evidence presented at the hearing, prove to the ALJ that he or she is trustworthy and of good moral character to hold a real estate license.

Real Property Law §441 requires that an applicant must establish that he or she is trustworthy and competent to transact business as a real estate salesperson or broker in such a manner so as to protect the public. Therefore, when a criminal conviction (or a revocation by another agency) is involved, the conviction or revocation (and the circumstances surrounding same) can be evaluated and analyzed by the DOS and used by it to determine the outcome.

To Renew or Not to Renew: The DOS Analysis

In the *Lin* case, the ALJ provides a useful guide in applying the provisions of the Correction Law, Article 23-A, when deciding whether or not to issue (or renew) a license. The ALJ points out that the Correction Law "...imposes an obligation on licensing agencies to deal equitably with ex-offenders while also protecting society's interest in assuring performance by reliable and trustworthy persons. Thus, the statute sets out a broad general rule that...public agencies cannot deny...a license to an applicant solely based on status as an ex-offender."

Section 753 of the Correction Law requires that the following eight factors be taken into account by a public agency (in this case the DOS) when assessing whether a licensee's license should be revoked or renewed:

- It is public policy to encourage the licensure and employment of persons previously convicted of a criminal offense or offenses.
- The specific duties and responsibilities necessarily related to the license or employment sought need to be assessed.
- The bearing of criminal offenses on the person's fitness or ability to perform one or more of the duties or responsibilities required.
- The amount of time that has elapsed since the occurrence of the offense(s).
- The age of the person when the offense(s) occurred.
- The seriousness of the offense(s).
- Any information provided by the individual regarding his or her rehabilitation and good conduct.
- The legitimate interest in protecting property, and the safety and welfare of specific individuals or the general public.

Citing the New York Court of Appeals in *Bonacorsa v. Van Lindt*, (71 N.Y.2d 605, 611-12 (N.Y. 1988)) (see <https://casetext.com/case/bonacorsa-v-van-lindt-3>), the ALJ explained that while a person's license cannot be denied simply because there exists an offense, there are certain "...exceptions either where there is a direct relationship between the criminal offense and the specific license or employment sought (Correction Law §752), or where the license or employment would involve an unreasonable risk to persons or property (Correction Law §752)." Therefore, it is important to note that the DOS, even where there is no incarceration involved, or where there is no significant fine or penalty required to be paid, or where it is a first offense only, does have the discretion not to renew a license if the crime or offense is directly related to the license being sought or if there is an unreasonable risk associated with issuing or renewing that individual's license.

In *Lin*, there was a "direct relationship" between the applicant's crime (i.e., grand larceny and embezzlement of client funds) and fiduciary duties, which the applicant was expected to adhere to as a real estate agent. The breach of the client's trust is critical in this case. Yet, after going through all of the relevant factors and applying the balancing test, the ALJ found that the renewal should be approved. As stated in *Bonacorsa*, "[t]he weighing of the factors is not a mechanical function and cannot be done by some mathematical formula. Rather...it must be done through the exercise of discretion to determine whether the direct relationship between the 'convictions and the license has been attenuated sufficiently.'"

In *Lin*, the applicant was convicted of embezzling a large sum of money from a client. He was also a compulsive gambler, which gave rise to the crime. However, the ALJ explained that the applicant dealt with his addiction and had not gambled for several years. These were factors that weighed in the applicant's favor. The ALJ also noted that he found the applicant's testimony "...to be entirely credible, he expressed shame for what he had done to both his client and his own family, and the resolve to re-establish his good reputation in his community...[and] that he now fully understands the importance of the fiduciary relationship." Finally, the ALJ took into account that since the applicant was applying for an associate broker's license he would "...be subject to the direct and regular supervision of the real estate broker with whom he is associated...[and would] provide an extra level of protection for the public."

In other similar cases, the ALJ, after going through a similar analysis, denied the applicants' application. (See *In the Matter of Di Donato*, 99 DOS 16 (February 26, 2016); and *Department of State, Division of Licensing Service v. Bruce W. Jones*, 1010 DOS 09 (October 22, 2009)).

The Real Estate License—A Privilege, Not a Right!

While there are no guaranties that the DOS will approve a renewal application, it is important to understand that holding a real estate license is a privilege and not a right. The DOS will assess each individual application independently and determine whether or not a particular licensee should be issued a license. For most real estate licensees, real estate is their life and livelihood. However, it only takes one mistake or wrong choice for that livelihood to be taken away abruptly. Not only does that choice affect the principal broker, it also directly affects all of those agents who are associated with that broker and broker's firm.

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

Legal Column author John Dolgetta, Esq. is the principal of the law firm of Dolgetta Law, PLLC, which acquired the law practice of former Board Counsel, Edward I. Sumer. For information about Dolgetta Law, PLLC and John Dolgetta, Esq., please visit <http://www.dolgettalaw.com>.

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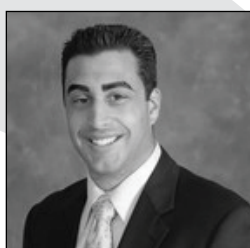
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HGAR's First 'RPAC-A-Thon' Raises Over \$8,000 for RPAC

By Mary T. Prenon

WHITE PLAINS—The Hudson Gateway Association of Realtors held its very first “RPAC-A-Thon” recently at its White Plains headquarters, raising more than \$8,000 for RPAC, the Realtors Political Action Committee.

The initiative, supported by the New York Association of Realtors, brought in a dedicated group of HGAR members who reached out with phone calls to their fellow Realtors. “I saw something like this at the NAR convention and thought it was a great idea,” said Barry Kramer, HGAR’s RPAC Committee Co-Chair. “We thought that this was a great idea to encourage participation by our members.”

The RPAC-A-Thon targeted the top 250 agents in HGAR “We felt that those top agents should be willing participants in RPAC since it contributes to their success,” added Kramer. “While it’s often uncomfortable to call fellow Realtors and ask for a contribution, RPAC is such a good cause and benefits Realtors.” The RPAC-A-Thon also hoped to encourage new RPAC donors.

The HGAR RPAC Committee has also planned additional RPAC-A-Thons for Nyack and Goshen. Please check hgar.com for further updates.



Barry Kramer, HGAR’s RPAC Committee Co-Chair, (front) and Philip Weiden, HGAR Government Affairs Director (back), check over the phone lists.

HGAR members pound the phones making calls to support RPAC

Houlihan Lawrence Strikes Deal With the ‘Uber of Helicopters’

RYE BROOK—Residential brokerage firm Houlihan Lawrence announced on April 25th that it entered an exclusive marketing partnership with BLADE, a private aviation startup that has been coined by some as “the Uber of Helicopters.”

The partnership, which began last month, will bring prominent exposure for properties listed with Houlihan Lawrence, appearing to BLADE fliers throughout their various platforms, the brokerage firm stated in a press announcement.

Houlihan Lawrence clients can also receive a special discount on BLADE services, which include helicopter, jet and seaplane service from New York City to



destinations including the Hamptons, Nantucket, Miami and the Bahamas.

“Working with BLADE was a natural alignment,” said Anne Marie Gianutsos, chief marketing officer of Houlihan Lawrence. “Both brands embrace common core values: Innovation, discretion, and a commitment to providing our clients the finest white-glove service possible.” Prior to joining Houlihan Lawrence earlier this year, Gianutsos was the Associate Publisher for Epicurious and Ziplist, digital divisions of Condé Nast, where she managed marketing and account management.

In its marketing agreement with BLADE, Houlihan Lawrence property videos will play from the Houlihan Lawrence’s Instagram feed in BLADE lounges, where the brokerage firm’s quarterly print magazines will be available for in-flight reading. The firm has also produced a Bespoke Digital lifestyle publication to display on iPads at lounge bars and on BLADE One jets.

Founded in 2015 by Warner Music veteran Rob Wiesenthal, BLADE has enjoyed rapid growth. The company allows clients to book services on demand using their proprietary mobile app. Options include booking by-the-seat, crowdsourcing an already-scheduled flight or chartering their own private flight. Membership is not required.

“Together, we are pushing boundaries of grandeur,” said Greg Ramey, director of marketing at Blade. “Through cutting-edge technology and access to a discerning clientele, we are delivering the utmost in service, experience and entertainment.”

Houlihan Lawrence, whose roots in Westchester County date back to 1888, was acquired in January of this year by Warren Buffet’s Home Services of America national brokerage network.

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Ellis Sotheby's, Edward Hopper House Create School Museum School Partnership Programs

NYACK—Ellis Sotheby's International Realty and Edward Hopper House have announced the creation of Museum School Partnership programs for five local Hudson Valley public schools with monies raised during a fundraiser held last year.

The \$21,300 raised at the Oct. 15, 2016 benefit ultimately created partnership programs at five local schools: Lime Kiln Elementary in Suffern (Grade

5), Strawtown Elementary in Bardonia (Grade 5), Sleepy Hollow High School in Sleepy Hollow (Grades 9 to 12), Nyack Middle School in Nyack (Grade 8) and MacArthur Barr Middle School in Nanuet (Grade 7).

The program curriculum, which was delivered to nearly 500 students, included a pre-visit in the classroom, a trip to the Edward Hopper House with hands on workshops at Rockland

Center for the Arts, a post-visit back in the classroom and instruction from a selected artist in residence.

"Each lesson was derived from Edward Hopper, his home, his collection and the many aspects of his work that relate to the various subjects and units of study across the Kindergarten through Grade 12 curriculum," said Richard Ellis, owner of Ellis Sotheby's International Realty. "We are so happy to foster arts education in the Hudson Valley, which has long been a haven for artists."

Ellis Sotheby's International Realty and Edward Hopper House will host a 2017 fundraiser this fall. The program received rave reviews from the participating schools, "What an exciting opportunity to work with the Edward Hopper House and learn more about the painter in this creative, curriculum based partnership," said Martha Ryan, principal of Strawtown Elementary School.

Ellis Sotheby's International Realty is located Nyack at 76 North Broadway. The firm lists and sells properties in New York's Rockland and

Orange counties, specializing in the lower Hudson Valley, from Upper Nyack through Snedens Landing to Tuxedo Park.

Edward Hopper House in Nyack is the birthplace and family home of the renowned American artist Edward Hopper (1882-1967). It was built in 1858 by his maternal grandfather and served as his primary residence until 1910. After Hopper's death, the house fell into disrepair but was saved from demolition and restored by members of the local community. Since 1971, the house has been a not-for-profit arts center. It is listed on the National Register of Historic Places and features early work by Hopper and rotating exhibitions relevant to his work.

BH&G Rand Realty Acquires ERA Tucker Associates

NANUET—Better Homes and Gardens Rand Realty reported on May 15th that it acquired ERA Tucker Associates of Nanuet.

"We have decided to merge with Rand Realty so we could be a part of the development of the Rockland County market and any other adjacent markets in New York and New Jersey," said Sharon Tucker, manager broker/owner of ERA Tucker Associates. "It's important for me to encourage growth in my agents, and this transition will provide them with the opportunity to work with the tools and systems that will strengthen their abilities to assist buyers and sellers."

ERA Tucker Associates has been servicing Rockland County for the last 19 years. Tucker announced she and her agents will now be teaming up with Rand Realty of New York and New Jersey, Rand reported. In addition to residential real estate, Tucker will work as a regional trainer and recruiter for the company. Wayne Tucker, associate broker, will continue to work in the residential and commercial real estate markets.

"Sharon and her agents are so well respected in the region," said Matthew Rand, managing partner of Better Homes and Gardens Rand Realty. "We have seen the business they are capable of performing, and we are confident they will fit in with our company and that we can help them continue to develop and improve their business."

Better Homes and Gardens Rand Realty, founded in 1984, operates more than 26 offices serving Westchester, Rockland, Orange, Putnam, and Dutchess counties in New York, as well as Bergen, Passaic, and Morris counties in New Jersey.

Better Homes and Gardens Rand Realty has more than 1,000 residential real estate sales associates, as well as a commercial real estate company (Rand Commercial) and the Hudson United Group, which provides residential mortgage lending, title services, and commercial and residential insurance.



Matthew Rand



Richard Ellis of Ellis Sotheby's International Realty and Nancy Bunin, third from left, the firm's director of development, with Hopper House's Regina Rodwell-Bell, left, and Jennifer Patton, at the October 2016 fundraising event that enabled the creation of Museum School Partnership programs for five local Hudson Valley public schools

IN MEMORIAM

Continued from page 5

Services Company and grew incrementally. In 1976 he established Kahn Institute of Real Estate offering a course of study grounded in a service-oriented approach to real estate based upon a strict code of ethics. Thereafter, he established Kahn Agents, Inc.—a licensed insurance brokerage company; Kahn Properties, Inc. and Kahn-Miron—land development and new home sales companies; Kahn Relocation Services, Inc.; and in 1982 Vantage Funding, which would later become Financial Access Corporation, a mortgage company he operated with his son, Daniel. In 1985, in a difficult economic market, he undertook the challenge to develop a \$22-million 18th century Williamsburg style corporate office park that would go on to receive the New Commercial Architectural Award for Orange County in 1987 for design and development. Stony Brook Office Park underwent further expansion in 1988 with the development of Stony Brook Village incorporating 159 townhomes that received in 1990 the Architectural Award from the Orange County Board of Realtors. Stony Brook also received accolades from the Newburgh Preservation Association. In 1988, Kahn Inc. Realtors was awarded the Better Homes and Gardens Real Estate Service Best of Show honoring outstanding marketing in the field.

By 1989, Kahn Inc. Realtors had seven offices serving Orange, Dutchess and Ulster counties providing residential and commercial services. Hal received certification as a Residential Specialist (CRS), Brokerage Manager (CRB) and Graduate of the Real Estate Institute (GRI) and went on to serve as Education Chairman of the New York State Association of Realtors, Dean of the Realtors Institute of the New York State Association, Chairman of the National Association of Realtors Instructor Development Committee and Liability Task Force, and Chairman of the Certified Real Estate Broker Council of the National Association of Realtors. In 1989 he was elected as Financial Vice President of the Realtors National Marketing Institute/National Association of Realtors and in 1991 as President.

In 1992 he was inducted into Omega Tau Rho, an honorary fraternity of the National Association of Realtors whose membership is representative of the highest level of recognition for contributions in the field. Hal was also the recipient of the RNMI Eagle award, the highest award given for teaching excellence. He was the fourth recipient in history to receive such recognition. In addition to his contributions to many committees, he served as a member of the RNMI Board of Directors, Board of Governors and Chairman of the Faculty Committee. He was a published author and nationally recognized speaker in real estate brokerage, management, marketing, residential sales and commercial investment. Hal's commitment to his local community was always ever present.

He was an avid skier, snowmobiler, licensed pilot of his own private airplane, motor cross enthusiast, runner, golfer and sports car racer. During his later years he founded DK Racing with his son, Daniel, where he competed in the New England and North Atlantic Road Racing Championships earning victories at Pocono Raceway, Watkins Glen, New Hampshire International Speedway and Lime Rock Park, where he raced with his buddy, actor Paul Newman.

He leaves behind his loving wife and partner, Bobbi; his beloved three children: Wendy Beth Kahn of North Andover, MA, Deborah Susan Hoey and her husband, David, of North Reading, MA and Daniel Steven Kahn of Hauppauge, NY; his seven cherished grandchildren: Kayla Jordan Hoey, Emma Paige Hoey, Gregory Harrison Raso, Benson Gage Raso, Madison Gabrielle Kahn, Chloe Elizabeth Kahn and Sophie Morgan Kahn; and his nephews, William "Billy" Kahn and David Kahn.

Donations in Hal's memory may be made to AFTD Radnor Station Bldg. 2 Suite 320, 290 King of Prussia Rd., Radnor, PA 19087 (theaftd.org) and Kaplan Family Hospice Residence, 800 Stony Brook Ct., Newburgh, NY 12550 (hospiceoforange.com/make-a-gift).

Adapting to Changing Times; Bronxville Real Estate Rebrands As Park Sterling Realty



Leah Caro

BRONXVILLE—Citing a continuing trend in the real estate brokerage business away from provincial offices that service a few communities, the ownership of Bronxville Real Estate announced today that it will now operate as Park Sterling Realty. The firm's rebranding is intended to convey the geographic reach of its customer base that far extends from the Bronxville area.

The ownership of the rebranded firm will remain the same with Broker-Owners, Leah Caro and Jon Posner leading the brokerage's operations. Park Sterling Realty will remain at 17 1/2 Park Place in the heart of the Village of Bronxville.

"Our geographic footprint was so much larger than our name," Caro says. "It didn't adequately convey the volume of buyers and

sellers we serve throughout the region."

She notes that while a large portion of its client base resides or does business in the Bronxville area, Park Sterling Realty represents customers in virtually every municipality in Westchester County—from the River Towns to the Sound Shore, and from Southern and Central Westchester to Northern Westchester. Its agents also work with buyers and sellers from the Bronx, Putnam and other northern suburban counties.

"The Park Sterling Realty brand will bring even greater exposure to our clients by demonstrating the breadth and width of our reach through continued robust marketing and advertising," Caro adds. "And the name really resonates—Park for our steadfast location on Park Place and Sterling for the consummate services we provide."

Danone Exec. Talks Up Westchester and Evolving Global Food Industry

Continued from page 1

added, "Innovation is the fuel for our business."

Admitting that its designation as the largest public benefit corporation is exciting, he related that the company has for some time initiated policies that were not driven solely by the corporate balance sheet. The company has for more than five years partnered with its farmer suppliers and agreed to fix margins to help farmers deal with the potential hardships caused by the instability of commodity prices.

Fuster said the public benefit corporation designation now will involve DanoneWave "making commitments that are not only about business, but they are going to be about people, they are going to be about the ecosystem, they are going to be about the planet and many other things."

When it announced the public benefit corporation designation, DanoneWave said its mission was to "nourish people, communities and the world through its diverse portfolio of healthful dairy- and plant-based products, coffee creamers and beverages."

In terms of its recent \$10-billion purchase of WhiteWave, Fuster said the mega-deal "opens the scope of our portfolio." He later related that to succeed in the current retail market, a



From left, Hudson Gateway Association of Realtors CEO Richard Haggerty, Business Council of Westchester President and CEO Marsha Gordon, BCW General Counsel Douglas Singer, Esq., and Danone President, USA Yogurt Sergio Fuster.

company needs scale. In fact, he said the merger deal makes DanoneWave the largest organic food company in the world.

The company will maintain headquarters operations in Westchester County and in facilities in Broomfield, CO. The company has announced its intent to relocate its corporate headquarters from 100 Hillside Ave. in Greenburgh to more than 100,000 square feet of space at The Source at White Plains. DanoneWave is leasing approximately 60,000 square feet of existing space on the fourth floor of the Source at White Plains property and building another 23,000 square feet of "mezzanine space" atop its fourth floor offices. In addition, DanoneWave will occupy another approximately 20,000 square feet of space on the ground floor of the 240,000-square-foot property. The

ground floor retail space will be used for a food laboratory and cafeteria space.

Fuster told *Real Estate In-Depth* that the new headquarters is designed to foster innovation. For example, he related that the food laboratory "will be the place where we design new products. It mimics a big dairy factory but on a smaller scale."

He said that in addition to the activity now taking place in White Plains and its new headquarters prime location near mass transit and shopping, "One of the things that made us choose that location is the fact that we could move the pilot plant to the property. There is even going to be a window for people who walk by who will see how things are

being made. It is going to bring some excitement for the pedestrians in the area," Fuster said.

The company has previously stated that it hopes to begin relocating its more than 400 headquarters employees to 100 Bloomingdale Road by early 2018. DanoneWave has also said it expected to hire another 150 workers at its headquarters over the first five years after the relocation project is completed.

The company has operated its headquarters in Westchester for more than 20 years and has leased space at the Greenburgh property since 2004. The firm moved to Greenburgh after maintaining its corporate offices at 120 White Plains Road in Tarrytown.



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Moving With Pets Doesn't Have to be a 'Cat-astrophe!'

By Mary T. Prenon

Buying or selling a home can be stressful enough for humans, but when you enter your four-legged family members into the mix, the fur could really start to fly!

In addition to constantly cleaning up shedding pet hair, home sellers are often at a quandary of where to keep their pets during home showings. Dana Ebbecke, animal behavior counselor at the ASPCA Adoption Center in New York City, suggests it may be best to keep pets out of the fray during showings.

"There may be many new people coming and going, and it can be quite easy for pets to dart out the door during the commotion," said Ebbecke. "Putting the pets away in a safe and familiar environment, like a crate with a yummy long-lasting treat, can be the least stressful scenario for both the pet and the potential home buyers. You can also consider sending your pet to daycare or pet sitters for the day, as long as the pet is comfortable in those environments"

As far as "crating" animals, Ebbecke notes if the crate is a comfortable and familiar place for the pet, spending some time in it shouldn't be stressful for most dogs or cats, as long as it's not for excessive amounts of time. "Pet parents can break up crate times with a nice walk or fun game to help alleviate boredom or stress," she added.

Whether you're selling or buying, chances are you'll be packing as well. The whole scenario of cleaning out closets, stacking boxes and moving furniture can also have a stressful effect on our furry friends. "Cats, in particular, aren't big fans of change," said Ebbecke. "You can help your cats—and skittish dogs—adjust to the moving process by bringing in moving boxes early, and by keeping them in a familiar room that you plan to pack up last."

On moving day, Ebbecke suggests keeping pets in a quiet room with the door shut, or at a friend's house, and trying to keep your pet's routine as normal as possible. "For cats, it is a good idea

to acclimate them to the carrier as far in advance of moving day as possible. Arrange the carrier in a favorite spot and use food, toys, familiar bedding, and catnip to get them comfortable with the carrier," she said.

In some cases, Ebbecke said, pet owners may want to consider a boarding facility to hold them on moving day. "If the pet is comfortable being boarded or gets boarded in an already familiar environment, that may be the best choice for them. If the pet finds new or loud environments stressful, it may be preferable for the pet to stay in a crate or carrier during the moving process," she said.

For pets that haven't spent much time in crates or cars, her recommendation is to get them used to it in the weeks or even months leading up to the move. She suggests to prepare your pets by gradually acclimating them to their crates. First, place their food inside an open crate, and eventually have them eat their meals in the crate with the door shut.

Try carrying your pets around the house in the crate or taking a short drive. You can help your pets develop a positive association with the crate by providing treats and playtime at the conclusion of crate time.

For home buyers, your new house, condo or apartment should be a comfortable place for both you and your furry family. When choosing a new neighborhood, house or apartment, the ASPCA suggests taking a walk or drive around the area to get a feel for the new environment.

Dog owners might want to look for a home with a fenced yard. "Older dogs, puppies and dogs with house training issues will need to go outside often, which might be difficult in an apartment building with lots of stairs or a house without a yard," said Ebbecke. "For your feline friends, ensure your potential new space allows for plenty of room to build vertically—it's easy to create a lot of vertical space with shelving, such as kitty

blocks on top of furniture"

Pet-proofing the new home is also important. Ebbecke's ideas include tucking away electrical cords, plugging up any nooks where pets could get stuck, and ensuring that all windows have secure screens. Any poisonous house plants or pest-control poison traps should also be removed.

In addition, she also offers these tips for helping pets to settle into their new surroundings:

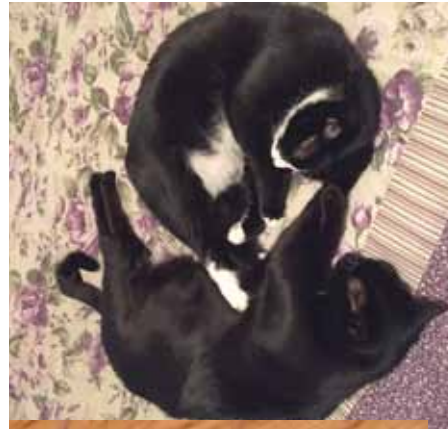
- Start by allowing them to adjust to

one room—their "home base"—which should include their favorite toys, treats, water and food bowls and litter box for cats.

- When they seem comfortable, gradually introduce them to other rooms in the house, while keeping some doors shut.

- You can relocate your cat's litter box from the "home base" room to a more permanent location by moving it slowly over time. Try moving the litter box one foot forward each day.

"When you're moving, all it takes is a little patience," Ebbecke assured. "Your cat or dog will be king or queen of your new home in no time!"



The whole scenario of cleaning out closets, stacking boxes and moving furniture can also have a stressful effect on our furry friends.

PEOPLE



Sheila Chesterman

Hudson United Insurance reported recently that **Sheila Chesterman** has attained the position of vice president of Rockland sales and will be leading property, casualty, and life insurance sales throughout Rockland County and parts of Westchester County for the firm. Chesterman has more than 13 years of experience as a licensed insurance broker.

Coldwell Banker Residential Brokerage in Connecticut and Westchester County reported recently that **Michelle Madaffari** has affiliated with its White Plains office. As an Associate Broker, Madaffari will provide residential real estate sales services in Westchester, Putnam and Dutchess counties.

Madaffari has extensive experience in residential real estate sales. She has been a sales associate for more than 20 years.



Michelle Madaffari

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Charles Bludeau

Coldwell Banker Residential Brokerage in Westchester County reported recently that **Charles Bludeau** has affiliated with the firm's brokerage office in White Plains. As a licensed real estate salesperson, he will provide residential real estate services in Westchester and the Bronx. Bludeau has been a licensed real estate professional since 2014.

Margaret Colavita has joined the **Eastchester office of Berkshire Hathaway HomeServices Westchester Properties**. The more than 40-year resident of Eastchester worked previously at Ragette Realtors and has been a multi-million dollar producer her entire career. She is on the board of directors of the Eastchester Tuckahoe Chamber of Commerce and is involved with The Community Fund, an organization that sponsors programs for DARE and senior programs just to name a few. She was honored at the Bronxville Woman's Club for her community service in 2016.



Margaret Colavita

Better Homes and Gardens Rand Realty reported recently that **Margo Bohlin**, an associate broker with the company's New City office, has been ranked as the top agent in production by adjusted gross commission from Better Homes and Gardens Real Estate.

"I'm grateful to have received this award from Sherry Chris, president and CEO of Better Homes and Gardens Real Estate, for being the #1 agent in the company's nationwide network," said Bohlin.

Margo Bohlin has been at Rand Realty for 30 years and just completed her 20th consecutive year as the top agent in Rockland County.



Margo Bohlin



Jordie Wilk

Houlihan Lawrence has announced the hiring of **Jordie Wilk** to its Armonk office.

In 2016, Wilk was awarded the Five Star Agent Award from *Westchester Magazine*, which honors the top seven percent of Westchester real estate agents for outstanding client service. She is a member of the National Association of Realtors, the New York State Association of Realtors, the Hudson Gateway Association of

Realtors and the Hudson Gateway Multiple Listing Service.

Wilk began her career in public relations, where she worked on national publicity campaigns for leading television networks. She then enjoyed a successful career as a pharmaceutical representative before becoming a real estate agent. Wilk joins a team of 52 agents serving the villages of Dobbs Ferry, Hastings-on-Hudson, Sleepy Hollow and Tarrytown, as well as the hamlet of Hartsdale in the Town of Greenburgh.

Griffith Olivero Realtors in Goshen has recognized **Linda Clark** as its dollar volume leader for the first quarter 2017.

Clark is a lifelong resident of Orange County. Based in Goshen, she has been a Realtor since 1978. Clark served for several years on the then Orange County MLS Board and was president when it later became the then Greater Hudson Valley Multiple Listing Service in 1997. She is a constant recipient of the highest sales awards and was a member of the Orange County Association of Realtors' Golden Circle. In 1986, she was honored as Orange County Realtor Associate of the Year.



Linda Clark

Green Team Associate Broker Jennifer DiCostanzo recently won the Green Team Home Selling System First Quarter Sales Leader Award.

Last year DiCostanzo also received the Warwick-based real estate agency's 2016 Annual Sales Leader Award. The long time Warwick resident has been in real estate for five years and is a consistent top producer.



Jennifer DiCostanzo

Houlihan Lawrence congratulated **Thomas LaPerch**, director of its commercial division, on his recent achievement as the recipient of the John O. Cross Award for Outstanding Planning Board Chairperson of the Year by the New York Planning Federation.

LaPerch has been a member of the organization for a decade. After receiving many letters of recommendation based on his various accomplishments—particularly in relation to his efficient work effort, giving spirit and quick responsiveness—he was designated to receive the prestigious honor.

"I am honored, and incredibly humbled, to receive such a prestigious award from my peers," said LaPerch. "It has been such a pleasure to work with the Town of Southeast and I am so appreciative of the opportunity. I look forward to continued success with this organization for another 10 years."

LaPerch guides the Town of Southeast through all planning board applications, spearheads initiatives to update the town's comprehensive plan, corresponds zoning amendments and streamlines the development review process all while protecting the needs and interests of the community.



Thomas LaPerch

Better Homes and Gardens Real Estate Rand Realty announced that **Nancy Blaker Weber**, one of the highest producing agents in the Rockland Rivertowns, has joined Rand's Nyack and Piermont offices



Nancy Blaker Weber

Karen Smith and Robert Doci have recently joined **ERA Insite Realty's** Bronxville office, while **Gary Voorhees** has joined the Michael G. D'Onofrio team working from the brokerage firm's headquarters office in White Plains, announced Lou Budetti, ERA Insite Realty's principal broker.

Smith is an industry veteran of 14 years. She has spent most of her career at Coldwell Banker Gumbo in Valhalla before joining ERA Insite. She is a past graduate of the Floyd Wickman training program and holds her SFR (Short Sale & Foreclosure Resource) certification.

Doci started his real estate career at ReMax Distinguished Homes and Properties in Bronxville. He holds a Bachelor of Arts in Economics from Iona College and has a background in finance and property management. The Yonkers resident focuses on southern Westchester residential and commercial properties. He also has bilingual proficiency in both English and Albanian.

Voorhees, a White Plains resident who grew up in Brewster, made the decision to join the Michael G. D'Onofrio team after many years in the automotive sales and customer service industry.



Karen Smith



Robert Doci



Gary Voorhees

Dan Walsh, founding partner of the White Plains-based litigation firm **Belowich & Walsh LLP**, has joined the **Hudson Valley Economic Development Corporation's of Directors**.

"We're thrilled to welcome Dan to our Board," said Robert Levine, HVEDC Board Chair and Partner at Corrigan, Baker & Levine, LLC. "He is an exceptional attorney, business owner and is passionate about improving the quality-of-life in the Hudson Valley. He will be a great complement to our diverse team."

Walsh is also Associate Justice of the Village of Greenwood Lake, NY, and is a member of the New York State Bar Association, Westchester County Bar Association, Rockland County Bar Association and Orange County Bar Association.

The Board of Directors and CEO Michael Gilfeather of **Orange Bank & Trust Company** announced recently that the bank has hired **Michael J. Coulter** as its new chief lending officer, succeeding Mary Ellen Rogulski, who is retiring.

Coulter comes to Orange Bank & Trust most recently from Metropolitan Bank in Manhattan, where he held the same functional position as executive vice president. Prior to Metropolitan, Coulter held progressively more senior positions at BBVA Compass Bank, Sun National Bank, Citizens, and Key Bank—all located in the greater New York City and Hudson Valley markets, the bank stated in a press announcement.

Rogulski began her career at Orange (County) Trust Co. in 2002. During her tenure, the bank's commercial loan portfolio more than tripled in size. She intends to remain closely connected to the community through her participation in various civic organizations, including serving as vice chairperson of the Orange County Industrial Development Agency.

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HGAR

MAY 2017 UPDATE

Hudson Gateway Realtor Foundation Presents Donation to Maria Fareri Children's Hospital

By Mary T. Prenon

VALHALLA—The Hudson Gateway REALTOR® Foundation, the charitable arm of the Hudson Gateway Association of Realtors, recently presented a \$2,500 check to the Maria Fareri Children's Hospital here.

The Maria Fareri Children's Hospital at Westchester Medical Center is the only hospital in the nation named after a child. In 1995, Brenda and John Fareri lost their daughter, Maria, 13, to rabies. During that time, Maria was hospitalized at Westchester Medical Center. After Maria died, her parents learned that she had made a special wish as part of a school project—"for the health and well-being of all the children in the world." With her spirit guiding them, her parents, family and 20,000 members of the community made this wish a reality. Today, Maria Fareri Children's Hospital is a place where parents are not visitors but partners with the staff in the care of their children.

The Maria Fareri Children's Hospital, which opened in 2005, is also a major teaching facility with a dedicated staff of more than 150 pediatric specialists involved in research and developing tomorrow's treatments.

Representatives of the Hudson Gateway Realtor Foundation traveled to the hospital's Valhalla campus to present the donation check to hospital officials. Those representing the foundation committee were: Kerry Fedigan, Bonnie Koff, Harding Mason, and HGAR Director of Communications Mary Prenon.

Last year, the Hudson Gateway REALTOR® Foundation donated more than \$55,000 to local non-profit organizations throughout the lower Hudson Valley. For more information or to apply for funding from the Hudson Gateway REALTOR® Foundation, please visit www.hgrealtorfoundation.com.



From left, Kevin Carraccio, senior vice president, development, Westchester Medical Center; Kerry Fedigan, Bonnie Koff and Harding Mason, HG Realtor Foundation Committee; Lianne Hales-Shaw, executive director, Westchester Medical Center Foundation; and Mary Prenon, HG Realtor Foundation Committee.

SPOTLIGHT ON

A 'Natural Choice'

By Mary T. Prenon

Allison Jaffe, broker/owner of Key Real Estate Services in White Plains, has always been involved with the fine arts. Having earned both a BFA and MFA, she has held positions such as marketing director for the New Jersey Theater Group, an association of all professional theaters throughout the Garden State, as well as executive director of the Carolyn Dorfman Dance Company in Union, NJ. In addition, she spent many years as a grant writer for theater and non-profit groups throughout the region.

While it may seem surprising to some, Jaffe's earlier background and experience gave her a direct advantage when she transitioned to real estate. "I never anticipated that so many of the skills I developed as a grant writer were directly transferrable to real estate. Working to match buyers and sellers is very much like working to match funders with organizations," she explained. "You're doing basically the same thing but for a different set of parties."

It was during Jaffe's earlier career path in the non-profit arts world that she met her husband, Ed Friedman who is now the executive editor of Lifetime Arts. "I remember at the time we decided to get married, we knew that somebody would have to go out and make a profit," she quipped.

She spent the next two years as a freelance grant writer and then in 2003, Jaffe earned her real estate license. "I figured I'd look for ways to use my background in historic preservation, so real estate seemed like a natural choice," she said. After six months as a new real estate agent, though, Jaffe knew she had to make a choice. "It was either jump with both feet in or not do it, so I jumped."

Jaffe worked with local brokerages in lower Westchester, and began to establish herself as a Bronx property



Allison Jaffe

specialist. Just three years later, armed with her broker's license, she opened Key Real Estate Services and has been "flying solo" ever since. "Because of my background, it's certainly in my nature to work independently," she explained.

What really appealed to her was the advent of the Buyer's Agency Agreement, which is a means to exclusive representation as buyer's agent. "For the first time, we had a commitment from the buyer client instead of always being vulnerable," she said. "So many times you'd take a buyer around for six months or more, only to have them buy from someone else."

Today, the New Rochelle resident divides her time between listing and selling properties. "When I first started the business, I was almost exclusively a seller's agent, but then when the crash came a few years back, I realized very quickly that I had to diversify myself," she said. Shortly afterward she earned her CBR designation.

Over the years her business contin-

Continued on page 12

2017 HGAR RPAC HONOR ROLL as recorded by NYSAR to May 2017

Thank you to the following Members who are leading the way in the 2017 RPAC campaign

Platinum R

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

Golden R

Richard Haggerty, Hudson Gateway Association of Realtors, Inc.

Crystal R

Katheryn DeClerck, BHG Rand Realty, Goshen
Marcene Hedayati, William Raveis Legends Realty, Tarrytown
Russell Woolley, Wright Bros Real Estate Inc. Nyack

Sterling R

Leah Caro, Park Sterling Realty, Bronxville
Ann Garti, HGAR, Goshen
Pamela Jones, Coldwell Banker Res. Brokerage, White Plains
Cynthia Lippolis, BHHS River Towns Real Estate, Croton-on-Hudson
Clayton Livingston, Coldwell Banker Residential Brokerage, Croton-On-Hudson
Holly Mellstrom, Julia B Fee Sotheby's, Bronxville
Rosemarie Pelatti, Keller Williams Hudson Valley, New City

President's Club

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Barry Kramer, Westchester Choice Realty Inc. Scarsdale
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John Kope, Dorothy Jensen Realty, White Plains
Eydie Lopez, Dorothy Jensen Realty, White Plains
Jennifer Mallory, Keller Williams Hudson Valley, New City
Kathleen Milich REMAX Benchmark Realty Group, New Windsor
Donna Riniti, Coldwell Banker, Yorktown Heights

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Barbara Barber, Allan Bohlin, Layla Boyles Janet Brand, Debra Budetti,
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Laurie DiFrancesco, Kevin Dwyer, Jeffrey Farnell, Sharlene Forman,
Ronald Garafalo, Chloe Jensen, Molly Jensen, Melissa Lanza,
Kathleen Mangan, Theresa May, Eileen Marie Murphy, Myriam Ramos, Joanna
Rizoulis, Cindy Schweizer, Cathleen Stack, Maryann Tercasio

Recap of Contributions Year to Date**
TOTAL: \$109,106 from 2,534 contributors

Goal: \$201,103 from 3,295 contributors

% of dollar goal: 54%

% of member goal: 77%

BOARDROOM REPORT

Boards of Directors

**A joint meeting of the Hudson Gateway Association of Realtors, Inc. (HGAR) and the Hudson Gateway Multiple Listing Service, March 11, 2017
HGAR Offices, White Plains, New York**

Hudson Gateway Association General Activities

HGAR Past-President Marcene Hedayati delivered a report on behalf of the HGAR Leadership Committee. That report, included in the Directors packets, indicated that the Leadership Committee was recommending the following individuals for Officer and/or Director vacancies for the HGAR Board of Directors: Barry Kramer for HGAR President-Elect, Myriam Ramos for HGAR Regional Vice President for Westchester and Putnam Counties, Al Smith as a Class 2 Director with a term expiring at the end of 2018, and Irene Guanill as a Class 1 Director with a term expiring at the end of 2017. Lastly, the Leadership Committee recommended Harding Mason and Jeanne Shields to fill two Trustee vacancies on the Hudson Gateway Realtor Foundation. Their terms will expire at the end of 2019. The HGAR Directors approved and affirmed the Report of the HGAR Leadership Committee as presented.

Management, Financial & Membership reports

Secretary/Treasurer Pamela Jones presented the Treasurer's Report on behalf of HGAR including the bank and investment summaries for March 1st and the Directors approved receipt of the Cash Reports.

Leadership Training

The balance of the meeting was hosted by David Severance and John Foligno of Advanced Development Services who continued leadership training for the joint Boards of Directors that began in January.

At the conclusion of the leadership training session, CEO Richard Haggerty reported that the next HGAR Board of Directors meeting will be held on April 5, 2017 at 10:00 a.m. at the HGAR offices in Goshen. CEO Haggerty also indicated that the next HGMLS Board of Directors meeting will be held on April 4, 2017 at 3:30 p.m. at the HGMLS offices in West Nyack.

Please welcome the following new members to your area:

Designated Realtor

John DeSimone
881 Midland Ave.
Yonkers, NY 10704
888-797-2209

Kristen L. Ford-Stevens
10 West Prospect St., #411
Nanuet, NY 10954
917-627-0914

Alicia M. Green
146 Maple Avenue
New City, NY 10956
845-270-8104

David Lacher
270 North Ave., Suite 811
New Rochelle, NY 10801
914-671-2171

Fanny Montalvo
Keller Williams NYC
1155 Avenue of Americas
New York, NY 10036
212-383-3700

Rohit Sarin
A & S Real Estate Appraisals
114 Redan Dr.
Smithtown, NY 11787
646-632-7154

Morris Sarway
EOM Real Estate Services
3333 Henry Hudson Park, 23L

Bronx, NY 10463
718-884-0948

Lazar Schwimmer
Blooming Home Realty LLC
7 Dallas Road
Monroe, NY 10950
845-238-0247

Affiliate

Bruce Cohen
Eye In the Sky LLC
53 Shepherds Dr.
Scarsdale, NY 10583
917-592-1463

Peter Costakos
CrossCountry Mortgage
102 Chestnut Ridge Rd, Ste 200
Montvale, NJ 07645
917-947-9961

Jay S. Gootenberg
HWA Home Warranty of America
PO Box 850
Lincolnshire, IL 60069
516-322-7143

Louis Kosko
Associated Mortgage Bankers
2900 Westchester Ave.
Purchase, NY 10577
914-251-0720

Peter Lucia
CrossCountry Mortgage

102 Chestnut Ridge Rd., Ste. 200
Montvale, NJ 07645
917-947-9961

Mario Martirano
Associated Mortgage Bankers
2900 Westchester Ave.
Purchase, NY 10577
914-251-0720

Lauren Mauro
Carr Workplaces
600 Mamaroneck Ave, 4th Fl.
Harrison, NY 10528
914-468-0888

James B. Moran
Associated Mortgage Bankers
2900 Westchester Ave.
Purchase, NY 10577
914-251-0720

Remy Susini
Blue Moon Aerial Photography
24 Woodside Ave.
Elmsford, NY 10523
914-357-2804

Realtor

Karen Adamo
Coldwell Banker Signature Properties, Bronx

Rayshaun Addison
Keller Williams Realty NYC Group, Bronx

Shanakaye Allen
Besmatch Real Estate

Kimberly Aponte
Imagine Properties

Sandra M. Arnez
Keller Williams Hudson Vly Untd, Middletown

Alex V. Baez
Besmatch Real Estate

Susana A. Baidoo
NY Future Homes Realty Co.

Margaret Bailey
Keller Williams Realty Partners, Yorktown Heights

Delnisha Baker
J. Philip Real Estate LLC, Pelham

Francis Begley
Keller Williams Realty Group, Scarsdale

Anthony Benitez
BHG Rand Realty, Yorktown Heights

Adrienne Branca
Keller Williams Hudson Valley, New City

Carmella Budrik
Keller Williams Hudson Valley, New City

Ahmad Burns
Houlihan Lawrence Inc, Jefferson Valley

Haakim Byrd
John J. Lease Realtors Inc., Newburgh

Michele Callender
BHG Rand Realty, Pine Bush

Maria Capotorto
Exit Realty Search

Brisa Carmona
Keller Williams Realty Group, Scarsdale

Patrick Casilli
John J. Lease Realtors, Inc., Newburgh

Maria Cerbone
Weichert Realtors, Larchmont

Pamela S. Charles
BHG Rand Realty, Central Valley

Brian Connor
Keller Williams Hudson Valley Untd., Middletown

Denise Costanzo
Houlihan Lawrence Inc, Somers

Robert Cruz
Dynamax Realty NYC, Inc.

Jane E. DelRegno
BHG Rand Realty, Nyack

Marissa Desposati
Coldwell Banker Res. Brokerage, Scarsdale

Moustapha Diaoune
Exit Realty Group

Patricia Dillon
BHG Rand Realty, Stony Point

Yankuba Drammeh
Progress Realty Inc.

Michael Drepanis
Imagine Properties NY

Abraham Eger
Exit Realty Venture

Lascelles Elson
Besmatch Real Estate

Betsy Estrella-Mejia
Keller Williams Valley Realty, Woodcliff Lake

Laura Fantino
William Raveis-New York LLC, Katonah

Sharelle FeQuiere
Keller Williams Realty NYC Group, Bronx

Alissa R. Florentino
Coldwell Banker Village Green

Miguel J. Flores
Exit Realty Group

Jennifer B. Friedman
Houlihan Lawrence Inc, Rye Brook

Esther Gaillard
Keller Williams Realty NYC Group, Bronx

Terri Gentile
Keller Williams Realty Partners, Yorktown Heights

Continued on page 15

HGAR Holds First 'Breakfast with Benefits' Program at W.Nyack Office

WEST NYACK—The Hudson Gateway Association of Realtors recently held its first "Breakfast with Benefits" program at its West Nyack office, with more than 30 people in attendance.

California Closets presented a free informative program on how home organization can help both home sellers and buyers. California Closets will also be offering its home organization presentation at HGAR's Goshen office on June 21 at 9:30 a.m.

The next Breakfast With Benefits program will be held on May 24th from 9 a.m. to 10:30 a.m. at the HGAR office in White Plains. Learn how home buyers or homeowners refinancing a mortgage can take advantage of a Consolidation, Extension and Modification Agreement (CEMA) to reduce the mortgage tax liability owed. By consolidating the old, outstanding mortgage debt and the new debt, the borrower pays taxes only on the difference between the two loan amounts.

The program will be presented by Gary Goldman, founding partner of the law firm Fentin & Goldman LLP in White Plains and an expert on the subject. This is FREE program, but you must register. A Continental Breakfast will be served.



From left, Chris Reynolds, Hannah Rodriguez, Susan Kangas, Dana DiTrani Goldberg and Lorraine Gaudreau of California Closets.

Breakfast With Benefits has been a popular program, no matter the venue. The next Breakfast with Benefits program will be held on May 24th at the HGAR office in White Plains.



A 'Natural Choice'

Continued from page 11

ued to grow so much that she recently brought in another sales agent and an executive assistance. "Time is a big challenge for me," she admitted. "I'm always very busy and while I don't have children or aging parents to care for, I do want to spend more time with my husband."

Jaffe has also branched out from lower Westchester and the Bronx. "While those areas are my base, my business isn't based on geography anymore, but on market niches," she said. She now specializes in senior-owned and estate properties. "This takes me to a lot of different parts of our service area and creates a lot of referral business." Her real estate referral business stretches from Rockland and Orange counties to upper Manhattan and Queens.

The 2012 merger that created the Hudson Gateway Association of Realtors was a welcome venture for Jaffe. "I think it was a milestone in realizing that the reach into the outer suburbs is a real opportunity to serve New Yorkers," she said. "Generating business with my col-

leagues has become the real bread and butter of my business."

After almost 15 years in real estate, Jaffe has never regretted her decision to leave her former arts career behind. "This has been so rewarding," she added.

Jaffe credits her involvement with HGAR for helping her to make some great connections and referrals. She is currently serving as co-chair of the Member Perks Committee, which is dedicated to securing "perks" from local businesses for HGAR members. In addition, she serves on the MLS Finance Committee and has also volunteered for the MLS Nominating Committee.

Of course, Jaffe still loves attending the theater and museums in her spare time, and she enjoys a personal hobby of refinishing and reupholstering furniture. "It's my outlet and I try to get a project done every summer," she said. "Actually, I secretly long to have my own little workshop. I'm always creating things in my mind, so I really do enjoy creating something with my hands."



WHITE PLAINS, GOSHEN,
WEST NYACK, PUTNAM

JUNE 2017 FEATURED CLASSES

White Plains



JUNE 9, 16, 23, 2017 9:00AM-5:30PM
IN PERSON CLASS | CREDITS: 22.5 CE
INSTRUCTOR | EDWARD S. SMITH

Commercial & Investment Real Estate Program + Fair Housing + Ethics + 1 hr. Agency

- Member Price: \$250
- Class Express: \$250
- Non-Member Price: \$250

Additional Classes:

- 6/5- GPS: Great Pricing Strategies and Going in the Right Direction! + Ethics + Fair Housing with Linda D’Amico
- 6/8- Matrix 1: Introduction to Matrix with Kristine DiFrancesco
- 6/9- (CIRE 101) Working with Office, Green, etc. with Edward S. Smith
- 6/14- Matrix 2: The Next Step into Matrix with Kimberly Ware
- 6/16- (CIRE 102) Discrimination Issues in Commercial Real Estate + Fair Housing + Ethics with Edward S. Smith
- 6/21- (NYSAR) GREEN Day 1: Resource Efficient Home with Roseann Farrow
- 6/21- Matrix 3: Matrix to the Max with Kimberly Ware
- 6/22- (NYSAR) GREEN Day 2: Why All Clients are Green & How to Represent Them with Roseann Farrow
- 6/23- (CIRE 103) Land & Site Development (includes 1 hr. Agency) with Edward S. Smith

West Nyack



THU JUNE 8, 2017 9:00 AM – 12:15 PM
IN PERSON CLASS | CREDITS: 3 CE
INSTRUCTOR | FRANK PIETRZAK

Going, Going, Gone! Real Estate Auctions

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

Additional Classes:

- 6/1- Matrix 1: Introduction to Matrix with Kristine DiFrancesco
- 6/14- Matrix 2: The Next Step into Matrix with Kristine DiFrancesco
- 6/20- Pot Holes and Pitfalls, Paving the Way to a Smooth Transaction + Fair Housing + Ethics + 2 hrs. Agency with Donald C. Scanlon
- 6/21- Matrix 3: Matrix to the Max with Kristine DiFrancesco
- 6/26- (NYSAR) GRI-4: Legal with Don Cummins
- 6/29- Building Your Real Estate Practice in the New Norm + Fair Housing + Ethics + 1 hr. Agency with Donald C. Scanlon

Goshen



THU JUNE 15, 2017 9:00 AM - 5:30 PM
IN PERSON CLASS | CREDITS: 7.5 CE
INSTRUCTOR | CAROL MCCANN

Fair Housing/ Ethics Compliance Day (Includes 1hr. Agency)

- Member Price: \$70
- Class Express: \$0
- Non-Member Price: \$110

Additional Classes:

- 6/8- Financial Skills with Jean Barish
- 6/15- Code of Ethics Compliance (Includes 1 hr. Agency) with Carol McCann
- 6/15- Code of Ethics Compliance (No CE) with Carol McCann
- 6/15- Fair Housing Compliance with Carol McCann
- 6/20- Distressed Market Guide (“Munch & Learn”) with Carol McCann

For details and registration go to
www.HGAR.com/Education
www.HGAR.com/Education
(not HGAR.com)

CALENDAR

MAY

- Tuesday, May 23rd**
Lobby Day
Albany, All Day
- Wednesday, May 24th**
FREE Breakfast with Benefits -CEMA Purchases
HGAR White Plains, 9:00 – 10:30 a.m.
- Thursday, May 25th**
A Day with the Yankees - RPAC
Yankee Stadium, 11:00 a.m. – 4:00 p.m.
- Monday, May 29th**
Memorial Day Holiday
HGAR Offices Closed
- Wednesday, May 31st**
HG Foundation/WCR Runway for Hope Fashion Show
Glen Island Harbour Club, 5:30 – 10:00 p.m.

JUNE

- Thursday, June 1st**
CID Breakfast – State of the Retail Market
HGAR White Plains, 8:30 a.m. – 10:30 a.m.

- Tuesday, June 6th**
NAR Tech Edge
HGAR White Plains, 9:00 a.m. – 4:00 p.m.
- Wednesday, June 7th**
HGAR Board of Directors Meeting
White Plains, 10:00 a.m. – 12:00 p.m.
- Thursday, June 8th**
Champagne and Sensational Make-Overs for RPAC
Neiman Marcus, The Westchester, 5:00 p.m. – 7:30 p.m.
- Tuesday, June 13th**
HGMLS Board of Directors Meeting
White Plains, 10:00 a.m. – 12:00 p.m.
- Tuesday, June 13th**
Discounted Defensive Driving Class
HGAR White Plains, 5:30 p.m. – 8:30 p.m.
- Monday, June 19th**
WCR - Meet the Mayors
Juliano’s Caterers, New Rochelle 11:30 a.m. – 2:00 p.m.
- Wednesday, June 21st**
FREE Breakfast with Benefits Custom Closet Organization
HGAR Goshen, 9:00 a.m. – 10:30 a.m.

- Thursday, June 22nd**
CID Breakfast – RXR Realty – Projects in Yonkers and New Rochelle
HGAR White Plains 8:30 a.m. – 10:30 a.m.
- Monday, June 26th**
HGAR Affiliate/Advertiser Cocktail Reception
HGAR White Plains 5:30 p.m. – 7:30 p.m.
- Thursday, June 29th**
HGAR Affiliate/Advertiser Cocktail Reception
HGAR Goshen 5:30 p.m. – 7:30 p.m.



LEGISLATIVE AFFAIRS

By Philip Weiden



Congress Set to Tackle Tax Reform, National Flood Insurance

Tax reform is on the agenda this month as Congressional Republicans have promised the first comprehensive tax reform bill in more than 30 years. Members of Congress and their staffs need to be reminded that tax reform must not dilute the current real estate tax provisions vital to the housing market and the economy.

Reform ideas that repeal or weaken tax incentives to encourage homeownership must be rejected. No tax reform legislation has been introduced in the current Congress as yet. Tax reform proposals discussed to date would lower tax rates and raise the standard deduction, but would pay for these changes by scaling back existing real estate tax provisions. Proposals that limit itemized deduction even if not directly changing rules applicable to mortgage interest could have serious negative consequences for homeowners. Eighty-eight percent of homeowners claiming the MID earn less than \$200,000, which makes this a middle class benefit not a benefit for the wealthy. Repealing the property tax deduction, as President Trump's proposal would do, will lead to double taxation of income. This would particularly devastate New York, which has the highest property taxes in the nation. Preserving the 1031 like-kind exchange is also extremely important. It encourages growth in the commercial real estate market and to the economy overall.

The National Flood Insurance Program expires on Sept. 30th 2017. Urge Congress to pass a multi-year reauthorization with needed private market reforms to avoid adding uncertainty in the real estate markets. To date, the House Financial Services Subcommittee Chair Sean Duffy is drafting an NFIP reauthorization bill that includes mapping, mitigation, and private market reforms. The Senate is waiting on the house bill. Congress must not let NFIP lapse. Each lapse costs \$40,000 in property sales per month, according to the National Association of Realtors. Without reauthorization, the NFIP cannot issue or renew policies in 22,000 communities where flood insurance is required for a mortgage. The NFIP should use modern mapping technology to produce building specific risk assessments. Currently property owners bear the burden of amending the maps to remove low risk buildings from the floodplain. Map amendments require property owners to buy 25,000 land surveys each year at \$500 per survey. The current method of land

mapping and amendment is inefficient. States are using the more effective light detection and ranging LiDAR to collect the data for whole neighborhoods at once. The best way to keep rates affordable is to reduce the risk. Elevating a property by two feet can cut flood insurance premiums by as much as two thirds. The federal government spends \$1.4 billion a year on grants to property owners to repair flood damage. Please urge your member of Congress to reauthorize the National Flood Insurance Program ASAP.

Finally, we need Congress to repair the secondary mortgage market to ensure that qualified borrowers have access to safe, affordable mortgage financing. Ban the use of mortgage guarantee fees to offset the cost of legislation unrelated to housing. Ensure that loans used to pay for energy efficiency improvements are subject to consumer protection laws. We must reform home ownership, but we must not take away programs that keep home ownership affordable. Stay tuned for updates in the future.

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

BARRISTER'S BRIEFING

By Leon Cameron, Esq.



Agricultural District Notice Requirements

The New York State Legislature enacted the New York Agricultural Districts law, Article 25-AA of the Agriculture & Markets Law, in 1971. It was designed to promote and protect the availability of land for farming uses. Licensees should be aware that the required notice form pursuant to this statute is available on our Hudson Gateway Multiple Listing Service system. If the property is not located, even partially, within such an agricultural district then the form is unnecessary.

At this point you may be quite concerned if the real estate markets you service fall within an Agricultural District, as defined by the state law. To that end, the Department of Agriculture and Markets currently partners with the Institute for Resource Information Sciences at Cornell University to actively maintain and update geospatial map data. In order to see the location of current Agricultural Districts within your particular New York County, please visit <https://www.agriculture.ny.gov/ap/agservices/Agricultural-Districts.html>. If you are still unsure as to the exact boundaries of Agricultural Districts within your county, you may find additional Agricultural Districts boundary data available at Cornell University's Geospatial Information Repository. The website is found at <http://cugir.mannlib.cornell.edu>.

The aforesaid notice form shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property. The statute does not dictate whether the form must be tendered by the seller's attorney, the seller's agent, or the seller themselves. However, the form must be given to the prospective grantee somehow if the property falls, even partially, within an Agricultural District boundary. Receipt of such disclosure notice shall be recorded on the property transfer report form prescribed by the Board of Real Property Services and as provided for in Section 333 of the New York State Real Property Law.

Article 25-AA provides for a locally initiated mechanism at the county level in the creation, modification and approval of Agricultural Districts. Accordingly, counties manage the preliminary stages of creation or modification of an Agricultural District. Thereafter, the Commissioner of Agriculture and Markets certifies that a district meets the purpose and intent of the Agricultural District Law after the county submits a resolution approving or modifying a district.

The form itself warns prospective grantees of potential drawbacks of living within an agricultural district. They are specifically cautioned in writing that farming activities, includes conduct that: "Cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances."

Editor's Note: The foregoing is for information purposes only and does not confer an attorney/client relationship. For a legal opinion or advice specific to your situation, please consult with a private attorney at law.

Leon P. Cameron, Esq. is the Director of Legal Services and Professional Standards Administrator for the Hudson Gateway Association of Realtors.



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WESTCHESTER RESIDENTIAL OPPORTUNITIES, INC.



Join Westchester Residential Opportunities, Inc. ("WRO"), the Hudson Valley's leading Fair Housing organization, in celebrating the advancement of human rights. WRO is recognizing three attorneys who have dedicated themselves to fighting housing discrimination. We will also hear the story of the parents of Cooper Talmas-Vitale, the youngest plaintiff in the historic *Obergefell v. Hodges* Supreme Court case which made marriage equality a reality.

SPEAKERS: Rob Talmas and Joe Vitale

HONOREES



Gretchen Flint, Esq.
Pace Law professor, Executive Director of John Jay Legal Services, and faculty supervisor of the Equal Justice America Disability Rights/Health Law Clinic



James L. Hyer, Esq.,
Partner of Bashian & Farber, LLP, incoming WCBA Vice President, and former WRO Fair Housing Testing Director



Dennis Parker, Esq.,
Director, Racial Justice Program, American Civil Liberties Union Foundation

LOCATION:

Vintage Restaurant,
171 Main Street,
White Plains, NY 10601

DATE/TIME:

Tuesday, June 20, 2017, 6:30 p.m.

COST:

\$100/per person, \$900/Table of 10

Buy Tickets and take advantage of Sponsorship Opportunities online at <http://www.wroinc.org/> or contact WRO at 914-428-4507x314.

Rand Realty Launches New Agent Platform

SEATTLE—Better Homes and Gardens Real Estate Rand Realty reported recently that it had launched a new combination of the latest in agent productivity technology. Agents now have access to the Moxi Engage CRM from Moxi Works, which is fully integrated into an advanced automated marketing platform from Imprev, Inc.

“There’s a great technology race in real estate that has brokerages scrambling to add the latest innovations to gain a competitive edge and attract new agents,” said Matthew Rand, managing partner of Better Homes and Gardens Real Estate Rand Realty. “But agents are suffering from tool fatigue: There are too many disconnected apps and tools offered to agents without a focused plan from the broker to tie them all together,” he continued.

Renwick Congdon, CEO of Imprev, a company known for its advanced automated marketing services, explained how the Moxi Works and Imprev integration creates a unique value proposition. “Providing compelling, timely, and relevant content to buyers and sellers helps agents build relationships and trust,” Congdon shared. “Delivering the right marketing to the client consistently and automatically can help an agent gain a client for life.”

“We’re making sure agents do the right thing at the right time, which we’ve seen dramatically increases their new, repeat, and referral business,” said York Baur, CEO at Seattle-based Moxi Works. “The technology that BHGRE Rand Realty is providing to its agents will provide a workflow that will be the envy of its competitors.”

For example, listing and contact information for each Better Homes and Gardens Real Estate Rand Realty agent will be synchronized between his or her CRM and marketing platforms. The streamlined workflow dramatically increases agent efficiency and improves data quality by eliminating the need to enter listing and contact information in multiple systems. The integration also enables the automatic creation of marketing content for a wide range of marketing activities—from promoting a new listing to keeping in contact with an agent’s leads and sphere of influence—all without requiring the agent to lift a finger.

New Members

Continued from page 12

Karen Gonen
Green Team Home Selling Systems

Maria Gribakina
Keller Williams Realty Group, Scarsdale

Sean Groves
Julia B. Fee Sotheby’s Int. Realty, Irvington

Abraham Grunberger
Keller Williams Hudson Valley, New City

Thomas Guarino
Benjamin Michael Real Estate

Roertson Guercy
Riso Realty

Stephanie Gutierrez
Keller Williams Realty NYC Group, Bronx

Vedeta Hanley
Keller Williams Hudson Valley, New City

Orit B. Hausman
Houlihan Lawrence Inc, Somers

Janine Hennigan
Double C Realty

Danielle Herrera
Exit Realty Group

Robert P. Howard
Stetson Real Estate

Nneka Ingram
Keller Williams Realty NYC Group, Bronx

Joel Jeremias
Preferred Properties Real Estate

Jillian B. Jude
BHG Rand Realty, New Windsor

Carol M. Lang
World Homes Realty

Nona S. Lavorgna
KRS Realty LLC

Travis Lewis
Keller Williams Realty NYC Group, Bronx

Michael Litsky
Landmark Appraisal Group, Inc.

Emily Lyon
Coldwell Banker Res. Brokerage, White Plains

April Malloy
Global Property Systems RI Est.

Joseph Marino
Westchester Choice Realty, Inc., Scarsdale

Joseph Marra
Keller Williams NY Realty, White Plains

Kevin Marrin
Keller Williams Realty, Chester

Lisa M. Martinez
DKC Realty Group LLC

Michelle McCarthy
ARC Realty 1 in Sales

**Salvatrice Milone
Morris Park Realty Group

Wayne A. Mitchell
BHG Rand Realty, Central Valley

John Montoya
Coldwell Banker Village Green

**Nicholas Morales
Coldwell Banker Res. Brokerage, New City

Kevin P. Moriarty
Houlihan Lawrence Inc, Croton-on-Hudson

Eliezer Moskowitz
John J. Lease Realtors Inc., Middletown

Olivia Nikaj
Keller Williams Realty Group, Scarsdale

Akinyinka Olasupo
NY Future Homes Realty Co.

Geraldine Patricello
BHG Rand Realty, New Rochelle

Patricia Perrone
Keller Williams Realty NYC Group, Bronx

Leah R. Pizer
Douglas Elliman Real Estate, Katonah

Moses Pollak
Keller Williams Hudson Valley, New City

Marlon M. Ramos
Keller Williams Realty Group, Scarsdale

Richard Renz
Landmark Appraisal Group, Inc.

Anthony Rivas
HomeSmart Homes and Estates

Lori Rivera
BHG Rand Realty, Central Valley

Yolanda Rivera
Madison Allied LLC

Darresa Rodriguez
EXP Realty LLC

Shayna Rodriguez
Exit Realty Search

Samuel Rosenberg
Exit Realty Venture

Julie Rothschild
Coldwell Banker Res. Brokerage, Rye

Danielle Rovins
BHG Rand Realty, White Plains

Anastasia Salyer
YCL Real Estate Consulting

Ashley M. Salyer
YCL Real Estate Consulting

Juana Sanchez
NY Future Homes Realty Co.

Lennon J. Scott
Carrington Real Estate Service

Danielle Serrano
Douglas Elliman Real Estate, Scarsdale

Meghan A. Simotas
Houlihan Lawrence Inc, New Rochelle

Jermel Singleton
Keller Williams Realty NYC Group, Bronx

Todd A. Smith
Rand Commercial, New City

Aria Stey
Julia B. Fee Sotheby’s Int. Realty, Irvington

Laura Stirrat
Mary Jane Pastor Realty

Takiyah Thomas
Charles Rutenberg Realty Inc., Plainview

Nigel Thompson
Besmatch Real Estate

Jennifer Townsend
BHG Rand Realty, Central Valley

Patrick Turner
Curasi Realty Inc.

Kofi Twumasi
Keller Williams Realty NYC Group, Bronx

Mordechai Y. Ungar
Exit Realty Venture

Maria Vargas
Exit Realty Private Client

Gary R. Voorhees
ERA Insite Realty Services, White Plains

Ryan Weir
Keller Williams NY Realty, White Plains

Tori M. Weissleder
Keller Williams Realty Partners, Yorktown Heights

Andrea West
Houlihan Lawrence Inc, Scarsdale

Dorcas White
Champion Realty Associate Inc.

Brenda Wilkinson
Hudson Valley Home Connection


Danielle Witkowsky
Coldwell Banker Res. Brokerage, Somers

Robert C. Wyatt
Peter J. Riolo Real Estate

Andrea Zhinin
Coldwell Banker Res. Brokerage, Yorktown Heights

*Indicates individual holds current membership and is opening up as a new firm as Broker/Owner.


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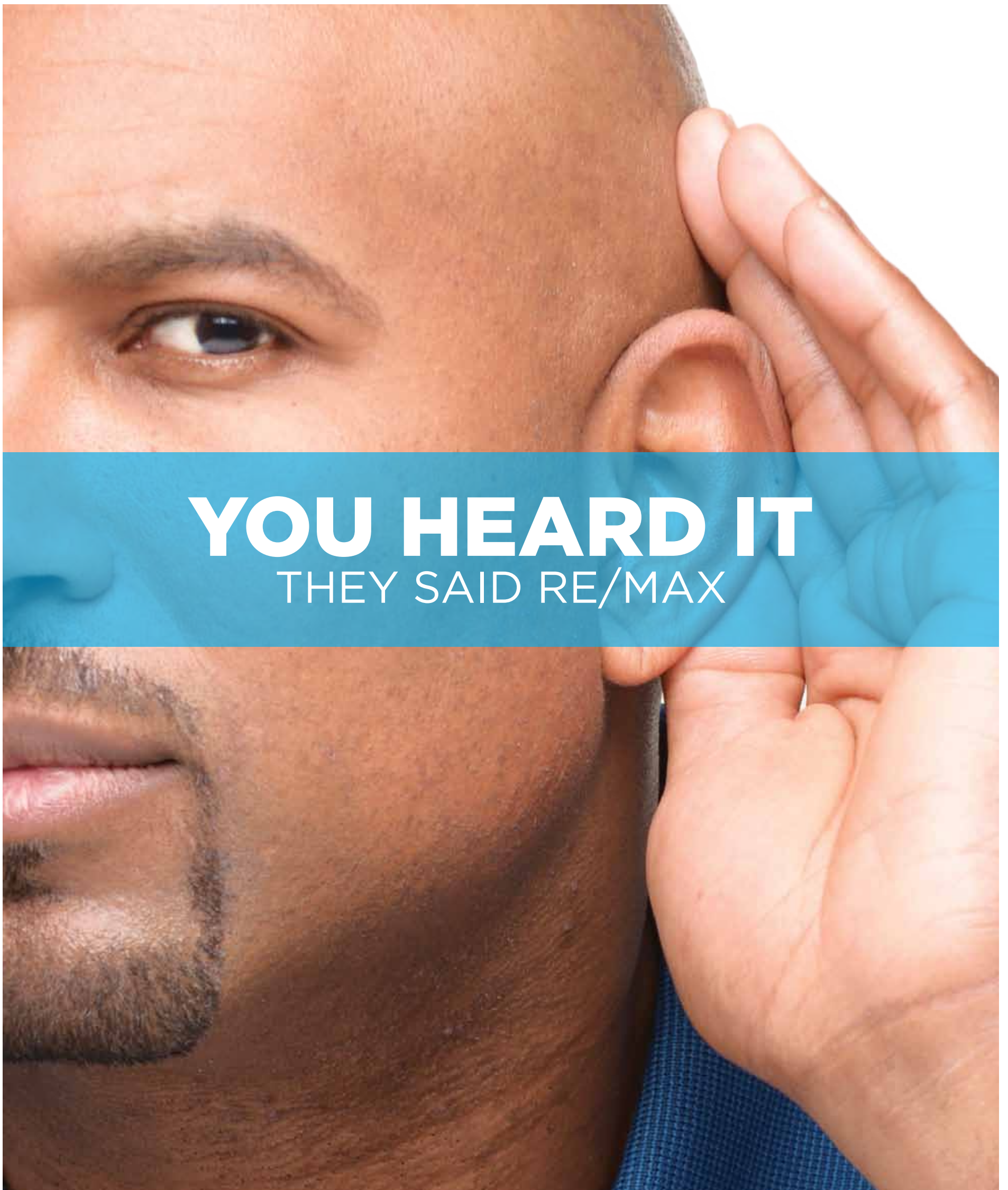
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The Latest on Virtual Reality, Facebook 'Lookalike Audiences' and Microsoft Flow Applications

TECH TALK

By John Vrooman
john@johnvrooman.com



I finally decided that it was time for me to check out a virtual reality (VR) headset and have a real "VR" experience. To accomplish the goal I went to a Microsoft Store, signed the required waiver, got directed to a seat that was set up for a virtual reality car racing experience...and started driving. What was it like? It was really cool! However, I'm embarrassed to say that 1) I crashed more than I drove; 2) the experience caused me to almost fall out of the chair, and 3) I started feeling nauseous within minutes! Sounds like fun, right? Well, it was and I recommend that if you haven't had a virtual reality experience yet (while wearing a middle-higher end virtual reality headset) you should do so. Suggestion: I would recommend you start your experience with a slower moving, non-driving, VR experience and then move on to more exciting things after you get used to the new virtual environment first. Seriously, try it, you'll like it! When you're done with the experience you'll be able to share your thoughts and opinions about VR technology and your firsthand experience with it. You never know where conversations may lead, but being able to share your VR experience will at least help to identify you as an agent who is on top of and willing to embrace new technology and trends!

Facebook 'Lookalike Audiences'

Facebook marketing capabilities continue to improve and grow. A popular and powerful Facebook marketing capability/feature is its "Custom Audience" feature that enables you to identify and market to a custom audience. However, if you don't have a lot of customers, your marketing "reach" may not be as large as you would like it to be. One possible solution to this problem/issue is to see if Facebook's "Lookalike Audiences" feature may be able to find additional prospects for you to market to. The following link will lead you to a Facebook.com webpage that discusses the powerful and interesting "Lookalike Audiences" Facebook marketing feature...
www.facebook.com/business/help/164749007013531?helpref=related

Tip: If you visit YouTube.com and do a search for "Facebook Lookalike Audiences" the search results will yield numerous videos that discuss the "Lookalike Audiences" topic/feature.

Microsoft Flow

Microsoft Flow is an automation tool that can help you to connect certain apps and/or web services together and then automate certain tasks between them (e.g. synchronize files, get notifications, collect data, and more). If you use several apps and online services I would encourage you to see if your apps/services are supported by Microsoft Flow. In my opinion, a couple of good ways to get started with Microsoft Flow is to 1) visit the Microsoft Flow webpage and explore the information that's there, and 2) visit YouTube.com and watch videos that explain the service and show examples of how the service works. The following link will lead you to the Microsoft Flow website...
<https://flow.microsoft.com>

To help speed thing along, the following link will lead you to a web page that lists the services that currently work with Microsoft Flow...

<https://flow.microsoft.com/en-us/services>

Heads up: Two similar services that have been mentioned in this column previously and that are also worth comparing/evaluating are ifttt.com (If This Then That), and Zapier.com. Courtesy links to both just mentioned automation-related services follow...
www.ifttt.com and www.zapier.com

Google Maps Tip

Google Maps (I'm primarily focusing on the Google Maps Smartphone app at the moment, and not the website) is a popular navigation tool that can help guide you to destinations. A feature in Google Maps that many people aren't aware of is the ability to share your location with others. Where are you? When are you going to arrive? When you enable location sharing with others, the answers to those previous questions can be answered/looked up by those who you have shared your location with. I would encourage all Smartphone users to install Google Maps on their device and to take a few minutes to explore (or re-explore) the Google Maps app's features. The Google Maps app has been evolving over time. Today, the app likely has more features and capabilities than it probably had the last time you really explored the app. The following courtesy links will guide you to articles that I recently came across that cover the location-sharing topic in more detail.

<http://www.idownloadblog.com/2017/04/12/how-to-share-location-google-maps>
<http://mashtips.com/share-realtime-live-location>

DesktopOK (Tip for Windows Users)

Testing out how your website looks at different screen resolutions, recording computer screen based tutorials, using a projector to project your computer screen onto a large screen or to a television screen are all examples of activities that may involve wanting to change your computer's normal screen resolution. Unfortunately, when you change your computer's screen resolution, you often lose the organization of your desktop icons and end up having to reorganize them all over again. A solution to this problem that I recently came across is a software program called "DesktopOK," which can remember and restore the layout of your computer's desktop icons when switching between screen resolutions. If you're familiar with the problem at hand, I think you'll appreciate this free and simple to use solution. Here's a link to the products web page where you can learn a bit more and download the product...
www.softwareok.com/?seite=Freeware/DesktopOK

Product's That Can Help You Use Less Electricity

P3 International Corp. makes several devices that can help you to better manage your power consuming household appliances and electronics. The company's "Kill A Watt" and "Save A Watt" series of devices are all specialized to help you better

use, monitor and understand your electricity use. To learn more about these products and to (possibly) start lowering your electric bill, simply visit...
www.p3international.com/products/energy-savers.html

Reminders

This column (and many previous ones) are made available for your viewing convenience and reference at...

www.realestateindepth.com/technology (The "Technology" section of the *Real Estate In-Depth* website.)

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

John Vrooman is an experienced Realtor who enjoys staying on top of real estate, technology, gadgets, marketing, new media and small business trends/developments. John gathers information from a diverse range of resources and enjoys sharing tips, thoughts, and discoveries with others—using a "something for everyone" approach. John has been authoring this column since August 2000 and is an Associate Broker with Better Homes & Gardens Rand Realty's White Plains office.

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RBA Honors The Lynmark Group of Suffern With Excellence in Contracting Award

SUFFERN—On Thursday, May 4th, The Rockland Business Association (RBA) held its 13th annual Pinnacle Awards and recognition dinner.

The Lynmark Group, which was formed 58 years ago, was this year's recipient of the Award for Excellence in Contracting & Development. The Lynmark Group is currently developing The Sheldon at Suffern Station, located on Orange Avenue in the downtown area of the Village of Suffern. The \$250-million Sheldon at Suffern Station will be a multi-family, transit-oriented project that provides residents with immediate access to N.J. Transit train service and the many unique and eclectic dining, shopping and other service venues along Suffern's thriving Main Street.

"The Sheldon will not only provide its residents with luxurious living options

and easy access to regional commuter train service, it will help transform the village into one of the best places to live, work, and play," said President of The Lynmark Group Joshua Goldstein.

"It means a lot to my family that the Rockland Business Association is honoring the endeavors of my late father Sheldon Goldstein, my son Joshua, and the entire Lynmark team," said Jeffrey Goldstein, president of Multifamily Management Services and Arco Management. "The RBA is well respected throughout the state and this honor validates the hard work of the Lynmark Group and the impact it has made on our community."

The Pinnacle Awards program recognizes RBA members who have achieved excellence in six categories: TD Bank won the Chairman's Award for Overall

Business Excellence, Sterling National Bank garnered the President's Award for Service to the RBA, Dr. Mary Leahy of Good Samaritan Hospital won the Outstanding Achievement by a Woman in Business, the United Way of Rock-

land County secured the Outstanding Achievement by a Non-Profit Organization and Billy Procida of Tallman Beach & Pool Club LLC won the Award for Corporate Citizenship.

County Executive Neuhaus Snares Partnership's MVP Award



From left, Orange County Executive Steve Neuhaus and Orange County Partnership President and CEO Maureen Halahan.

Real Estate Mastermind

The Business Council of Westchester and the Fordham University—School of Professional and Continuing Studies co-hosted an informative event entitled "Real Estate Mastermind Forum: 24-Hour Cities-Emerging Trends in Transactions, Technology and Transportation" that featured keynote speaker Hugh F. Kelly, the author of the book "24-Hour Cities: Real Estate Investment Performance, Not Just Promises." The program was held on May 10th at Fordham University's Westchester Campus in West Harrison.



Real estate author Hugh F. Kelly speaking at the Real Estate Mastermind Forum earlier this month.

By John Jordan

GOSHEN—The Orange County Partnership announced on May 1st that Orange County Executive Steve Neuhaus is the economic development agency's MVP (Most Valuable Partner) Award winner for 2017.

Orange County Partnership President and CEO Maureen Halahan announced Neuhaus' selection by a unanimous vote of its Board of Directors at a press conference staged earlier this month in a conference room adjoining both the Partnership's and County Executive's offices on Matthews Street in Goshen.

The reason behind his selection was the tremendous amount of business interest in Orange County and Neuhaus' assistance in attracting and retaining business in the county. "We have more projects under construction, in the pipeline, or recently opened over his tenure, really than any other county executive we have known in several decades," Halahan said.

She characterized Neuhaus "as a courageous leader who is not afraid to say 'this project is good for our county.' He is very focused on bringing in real jobs. Often times, elected officials can, on occasion, be very cautious on saying what is really important," Halahan noted. "This County Executive makes it known that whether it is tourism/destination, the need for new pipes in the ground, the need for new energy or the need for a new Government Center...he goes out there and says, 'let's get this thing done.'"

Neuhaus when he first took office in 2014 made economic development a top priority of his administration. The Orange County Partnership listed a few of Orange County's success stories since Neuhaus took office that included both attractions and major expansions, such as Angry Orchard's \$6-million investment in facility in Walden, Amy's Kitchen's \$100-million to-be-built project in

Goshen, AmerisourceBergen's \$75-million distribution facility in the Town of Newburgh, CPV Valley's \$900-million facility under construction in Wawayanda, along with major expansion projects by the likes of Orange Regional Medical Center and Crystal Run Healthcare.

The County Executive said the benefits of the economic development work are seen in the county's job office in Newburgh where county residents are being trained for new jobs, which reduces the social services cost to the county.

He added that creating jobs for Orange County residents is the real "tangible impact" of the work undertaken by his administration and the Orange County Partnership that "really gets the economy growing."

"It's not just about getting one guy or one gal a job," Neuhaus explained. "It's them being able to provide for their family or shop and live in a community. The multiplier effect is so widespread."

While the county has secured major new business commitments and will perhaps be home to a new LEGOLAND New York amusement park if approvals are granted by the Town of Goshen, Neuhaus said his biggest success thus far in his first term of office was stabilizing the county's finances.

The press conference also featured testimonials by key business leaders, including executives from McGoey, Hauser and Edsall, Holt Construction, Atlas Security Services, Perreca Electric Co., Inc. and Thomas J. Kempton Mechanical Contractors.

County Executive Neuhaus will be honored at the Orange County Partnership's 2017 MVP Award breakfast on Thursday, June 1st at the West Hills Country Club in Middletown. The event will begin at 8 a.m. The Orange County Partnership selected Walkkill Town Supervisor Dan Depew as its 2016 MVP Award honoree.

2017 Special Supplement Schedule

JULY Hudson Valley Real Estate Report

AUG. Hudson Valley Supplement

SEPT. Orange County Supplement

OCT. Putnam County Supplement + Hudson Valley Real Estate Report

DEC. Rockland County Supplement

Orange County Partnership Stages 2017 Commercial Real Estate Summit

NEWBURGH—Approximately 270 commercial brokers and business executives attended the Orange County Partnership’s 2017 Commercial Real Estate Summit held on May 10th at the Atlantic Aviation Hanger at Stewart International Airport.

The nearly full-day event featured remarks by Orange County Executive Steve Neuhaus, Stewart Airport General Manager Ed Harrison and

Michael Cary, general manager, Atlantic Aviation, along with a market forecast and digital property showcase presentations.

The afternoon program included a presentation by Orange County Partnership Chief Executive Officer Maureen Halahan as well as a keynote address by Howard Zemsky, president and CEO of Empire State Development Corp.



Maureen Halahan, CEO of the Orange County Partnership



Howard Zemsky, president and CEO of Empire State Development Corp.

New York City Building Boom Fueled By Expected 421-a Successor Law

Continued from page 1

The New York Building Congress reported that building permits filed in the city during the first quarter of this year were the highest in the last 10 years and three times higher than permits recorded during the first quarter of 2016.

“The numbers seem to confirm that the drop in 2016 was largely the market taking a breather after the surge in applications prior to the expiration of 421-a,” Scissura said. “We now seem to be in a period of renewed vigor and investor confidence given the relative strength of the overall economy and the recent agreement on Affordable New York, the successor program to 421-a.”

He pointed to developer’s anticipation of the new 421-a program as a “significant part” of the impressive spike in residential building permits the first three months of this year.

According to the organization’s analysis of U.S. Census Bureau data, the New York City Department of Buildings authorized construction of 6,343 residential units in the first quarter of 2017. In the first quarter of 2016 the DOB issued permits for 2,158 units. It should be noted that the 421-a tax incentive expired on Jan. 15, 2016.

In 2015 when builders rushed to file plans prior to the expected expiration in early 2016, 6,183 units were authorized in the first quarter. For the full year, the DOB authorized 16,269 housing units in 2016—nearly 40,000 units shy of the 56,183 units authorized in 2015.

The Building Congress reported that the 2017 first quarter building permit totals signal the best start for the residential development and construction sectors since 2007, when 7,264 residential units were permitted for construction across the five boroughs.

Scissura added that another good sign for the New York City residential sector is the tremendous amount of activity that took place in spite of the “uncertainty” that exists in Washington, DC.

“For those anxious that the boom times in the residential construction sector might have ended in 2015, the data from the first three months of 2017 should elicit a huge sigh of relief,” Scissura said.

Brooklyn got off to the quickest start in the first three months of this year with 2,097 permits, or 33%, of all permitted units citywide. Manhattan came in second place with 1,486 units, followed by Queens at 1,434, the Bronx at 1,124, and Staten Island with 202 units authorized for construction.

Scissura, the former president of the Brooklyn Chamber of Commerce, said that investors continue to flock to Brooklyn, but noted he was also pleased that

Queens and the Bronx posted strong showings as well in the first quarter.

Looking forward, he added, “It will be interesting to see what type of impact Affordable New York will have on the boroughs moving forward, especially in neighborhoods such as Astoria, where the Durst Organization recently announced it is moving ‘full steam’ ahead with its 2,400-unit Halletts Point project.”

Tony D’Anzica, HGAR Director and Manhattan Chapter Representative, said he is not surprised that developers are now looking to finalize plans in order to secure financing and take advantage of the successor 421-a legislation. However, he has noticed that sales in the high-end residential market are starting to slow. “Those units are not flying off the shelves like they used to,” D’Anzica said. “There has been a glut in the high-end residential market.”

D’Anzica, who is owner of property management company Dynamax Realty in New York City and Syracuse, said that some landlords of existing properties are offering rent incentives in order to compete with the new product on-line or in the pipeline.

Recent statistics have shown that it is very difficult to find affordable housing in New York City and its surrounding boroughs. D’Anzica noted that multifamily properties in areas such as Long Island City and sections of Brooklyn are now charging rents comparable to some Manhattan locations.

Lee Presser, an associate broker with Keller Williams NYC, said the filing of the building permits was not a real gamble for the developers since if the 421-a successor legislation failed to pass, they would just lose the building permit fees when they pulled the permit and put their project back on the shelf.

He said moderately priced condominiums, as well as rentals are selling and leasing very fast. However, luxury condominiums over \$10 million are on the market for long periods. Presser blamed Treasury Department regulations enacted in 2016 that are geared at curbing money laundering from foreign investors. Those regulations require all members of an LLC acquiring real estate of \$3 million or more in New York City be identified.

Presser, who specializes mostly in multifamily and condo properties in Manhattan and Riverdale in the Bronx, said that New York City is a haven for foreign investors who may or may not occupy the high-priced real estate they acquire. “I tell people we are the new Switzerland,” he said. “Foreign investors are parking their money here.” He noted that while some buildings report they are

85% sold, in fact the occupancy level is about 50%. He theorizes that those unoccupied units “are nothing more than a Swiss bank account” for foreign investor.

He stressed that both the moderately-priced condominium, as well as the moderately-priced rental markets are very strong at the moment in New York City.

“A moderately priced rental is going to come on the market four weeks before availability and it is going to be gone in less than three days,” Presser said. However, he added that luxury rentals priced at \$12,000 or more a month in New York City have been sitting on the market unrented for months.

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Orange Bank & Trust's Services Division Relocates

MIDDLETOWN—Orange Bank & Trust recently reported its Trust Services Division has relocated its operations from the headquarters in Middletown, to the Chester office at 91 Brookside Ave. in Chester.

Orange Bank & Trust's steady expansion has caused the bank to outgrow its capacity at headquarters and the move of the Trust Services Division will help to alleviate some of this pressure, the bank stated in a press announcement. Although the division moved to a different location, the Trust Services Division will continue to meet with its clients at any of the bank's 13 branches, reflecting their ongoing commitment to client convenience.

"We really wanted to limit the impact that this relocation could have on our clients and our employees and I don't think we could have found a better location for our team—a beautiful, historic building located in a central location immediately off the highway," said Michael Gilfeather, president & CEO of Orange Bank & Trust Co. "The trust business has been a core service since the bank opened in 1892."

The Board of Directors and CEO Gilfeather also recently announced that Gerard A. Perri has been promoted to



Gerard A. Perri

executive vice president.

Gerard is being recognized for his overall responsibility for the Finance, Accounting and Information Technology areas of the bank. Perri joined Orange Bank & Trust in July 2012 as senior vice president and CFO, overseeing all aspects of finance and accounting. In 2014, his role expanded to include oversight of the bank's IT Department.



Orange Bank & Trust Services Division office at 91 Brookside Ave. in Chester.

Commercial/Multifamily Borrowing Up 9% in First Quarter From Last Year

WASHINGTON—According to the Mortgage Bankers Association's (MBA) Quarterly Survey of Commercial/Multifamily Mortgage Bankers Originations released on May 4th, first quarter 2017 commercial and multifamily mortgage loan originations increased 9% compared to the same period last year, and in line with the seasonality of market, first quarter originations were 27% lower than the fourth quarter of 2016.

"Commercial real estate borrowing and lending started 2017 on much the same footing it ended 2016," said Jamie Woodwell, MBA's vice president of commercial real estate research. "Multifamily properties remain the key force behind overall originations trends, and the GSEs continue to drive multifamily originations. Matching broader investment themes, financing backed by industrial properties also picked up, while retail declined."

A rise in originations for industrial, health care and multifamily properties led the overall increase in commercial/multifamily lending volumes when compared to the first quarter of 2016. The first quarter saw a 40% year-over-year increase in the dollar volume of loans for industrial properties, a 22% increase for health care properties, a 14% increase for multifamily properties, a 2% increase for office properties, a 23% decrease in retail property loans, and a 40% decrease in hotel property loans.

Among investor types, the dollar volume of loans originated for Government Sponsored Enterprises (GSEs—Fannie Mae and Freddie Mac) increased by 33% year-over-year. Commercial bank portfolio loans increased 11%, life insurance companies loans were essentially flat from the first quarter of last year, and loans originated for Commercial Mortgage Backed Securities (CMBS) loans decreased 17%.

As is typical in comparisons of first quarter originations to fourth quarter originations, first quarter 2017 originations decreased 27% compared to the previous quarter. Among property types, hotel properties decreased 58% compared to the fourth quarter of 2016, a 48% decrease in originations for retail properties, a 39% decrease for health care properties, a 37% decrease for industrial properties, a 29% decrease for multifamily properties, and a 26% decrease for office properties from the fourth quarter of 2016.

Among investor types, between the fourth quarter 2016 and first quarter of 2017, the dollar volume of loans for CMBS decreased 40%, originations for GSEs decreased 29%, loans for life insurance companies decreased by 28%, and loans for commercial bank portfolios decreased 19%.

Hudson United Expands Into Connecticut

WHITE PLAINS—Hudson United Mortgage recently announced it is now a licensed mortgage lender in Connecticut.

"We're looking forward to continuing to expand our company across the tri-state area and the East Coast corridor," said Christopher Rand, operations manager at Hudson United Mortgage. "We have many referral relationships in Connecticut, so we can now serve their clients to find the best home loan."

Hudson United Mortgage was established in 2004 and is owned and operated by its president, Joseph Rand. Other than Connecticut, the company is licensed in New York and New Jersey. Its New York offices are located in Nanuet and New City in Rockland County; White Plains in Westchester County; and Goshen in Orange County; and its New Jersey office, which serves the entire state.

"Over the years, we have benefitted from the opportunities that have come with bringing our business to new areas," said Daniel Rand, compliance manager for Hudson United. "Connecticut remains one of the best areas to live in the Northeast, and we're excited to be helping our new clients with the mortgage process so they can enjoy their lives as homeowners in this gorgeous region."

The mortgage firm Glen E. Keane, Esq. has joined Hudson United as a senior legal counsel and director of clearance, Hudson United also reported. In 1985, Keane joined a top title insurance underwriter as a northeast regional claims counsel. Afterwards, he accepted a position as a clearance officer and counsel for a Long Island title agency, where he worked for the next 25 years, and his dedication resulted in him becoming a principal of that company.

U.S. Foreclosure Activity Drops To Lowest Level Since Nov. 2005

IRVINE, CA—ATTOM Data Solutions, curator of the nation's largest multi-sourced property database, released its April 2017 U.S. Foreclosure Market data earlier this month, which shows foreclosure filings—default notices, scheduled auctions and bank repossessions—were reported on 77,049 U.S. properties in April, down 7% from the previous month and down 23% from a year ago to the lowest level since November 2005.

"Foreclosure activity continued to search for a new post-recession floor in April thanks in large part to the above-par performance of mortgages originated in the past seven years," said Daren Blomquist, senior vice president at ATTOM Data Solutions. "Meanwhile we are seeing an elevated share of repeat foreclosures on homeowners who often fell into default several years ago but have not been able to avoid foreclosure despite the housing recovery."

Nationwide one in every 1,723 housing units had a foreclosure filing in April 2017.

States with the highest foreclosure rates were New Jersey (one in every 562 housing units with a foreclosure filing); Delaware (one in every 706 housing units); Maryland (one in every 776 housing units); Connecticut (one in every 956 housing units); and Illinois (one in every 1,083 housing units).

Among 217 metropolitan statistical areas with a population of at least 200,000, those with the highest foreclosure rates in April were Atlantic City, NJ (one in every 237 housing units with a foreclosure filing); Fayetteville, NC (one in every 615 housing units); Trenton, NJ (one in every 620 housing units); Rockford, IL (one in every 668 housing units); and Philadelphia (one in every 733 housing units).

Counter to the national trend, the District of Columbia and seven states posted year-over-year increases in foreclosure activity, including New Jersey (up 1%); Connecticut (up 29%) and Massachusetts (up 3%).

Three of the nation's 20 largest metro areas posted year-over-year increases in foreclosure activity: St. Louis (up 12%); Houston (up 7%) and Boston (up 3%).

"The Seattle-area economy continues to outperform the rest of the country and the housing market is going gangbusters," said Matthew Gardner, chief economist at Windermere Real Estate, covering the Seattle market, where April foreclosure activity decreased 38% from a year ago. "As such, I'm not surprised that foreclosure activity continues to head towards pre-housing bubble averages. In fact, as banks continue to unwind their REO portfolios, I expect foreclosure levels in Seattle to drop even further in the coming months."

A total of 34,085 U.S. properties started the foreclosure process in April, down 6% from the previous month and down 22% from a year ago and continuing well below the pre-recession average of more than 77,000 foreclosure starts per month between April 2005 and November 2007.

Counter to the national trend, the District of Columbia and seven states posted year-over-year increases in foreclosure starts, including Connecticut (up 40%); Massachusetts (up 34%); Alabama (up 10%); Missouri (up 10%); Oregon (up 7%); and Illinois (up 6%).

Lenders completed foreclosure (REO) on 25,990 U.S. properties in April, down 9% from the previous month and down 22% from a year ago to the lowest level since February 2015.

Counter to the national trend, the District of Columbia and 15 states posted year-over-year increases in REOs in April, including New Jersey (up 45%); Arizona (up 25%); Louisiana (up 2%); Connecticut (up 4%); and Oklahoma (up 7%).



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Legoland Hopes to Begin Construction This Year On \$500 Million Theme Park Project in Goshen

By John Jordan

GOSHEN—The developer of LEGOLAND New York hopes to secure approvals for its much anticipated, but somewhat controversial, \$500-million theme park here by sometime this summer, which would allow the firm to begin construction before the end of this year.

Phil Royle, head of community & project relations for LEGOLAND New York, speaking before about 70 attendees of the Hudson Gateway Association of Realtors Commercial Investment Division on April 20th, said developer Merlin Entertainments PLC is currently finalizing its Final Environmental Impact Statement on the project. The firm expects to submit the FEIS to the Town of Goshen in the next several months. Royle said that if that timeline can be achieved, Merlin Entertainments, the developer and operator of LEGOLAND New York, hopes to secure municipal approvals by this summer and open the theme park in the summer of 2019.

Among the key takeaways from Royle's presentation at the Harness Racing Museum & Hall of Fame in Goshen was that Merlin plans to sign a Project Labor Agreement with the Hudson Valley Building & Construction Trades Council and plans to move forward with a much more expensive transportation program to help mitigate traffic concerns on Route 17.

The multi-million dollar infrastructure plan calls for a relocated Exit 125 that would include a new bridge over Route 17 to provide direct access to the theme park property. Merlin earlier this year stated that the new reconfigured exit would alleviate traffic impacts on local roads by removing Legoland traffic



Phil Royle, head of community & project relations, LEGOLAND New York

from South Street and Harriman Drive. The reconfigured Exit 125 would also provide improved access to Glen Arden and Orange-Ulster BOCES properties, which are also located on Harriman Drive.

Royle said that Merlin would pay for most of the costs associated with the new Exit 125, but did note that New York State would also shoulder some of the cost since the project would put the exit into conformance with New York State Department of Transportation and Federal Highway Administration standards, including federal interstate standards in connection with the future conversion of Route 17 into Interstate 86.

"Our original traffic plan was going to cost about \$15 million," Royle said. "Our new traffic improvements with this full motion interchange will be between

\$30 million to \$35 million." **Editor's Note:** Merlin Entertainments in May announced it had enhanced its incentives being offered to the Town of Goshen. At that time, a Josh Sommers, a Legoland spokesman, told *Real Estate In-Depth* that the estimated cost of the road improvements now is approximately \$40 million.

Merlin is seeking a zone change from the Town of Goshen on 153 acres of the 523 acres it controls on a parcel that abuts Route 17 between exits 124 and 125. The project has prompted some local opposition and Michael Sussman, a Goshen-based attorney representing some project opponents, has stated that he expects to file litigation against the project sometime in the future. Earlier this year, New York State Supreme Court Judge Robert A. Onofry dismissed an Article 78 proceeding filed by the Concerned Citizens for the Hudson Valley and a group of property owners that reside nearby the proposed development site against Merlin Entertainment, the Town of Goshen Planning Board, the Town of Goshen and others.

The developer will initially invest \$350 million in the development and a total of more than \$500 million over the first five years of the theme park and resort's operation. In December 2016, LEGOLAND New York was awarded \$3 million in funding commitments from New York State's Consolidated Funding Application program. Previously the project secured \$3.1 million in committed CFA funding in 2014 and another \$1 million in 2015. It should be noted that the \$7.1 million in CFA funding commitments for the project thus far have yet

to be funded and forwarded to Merlin since the project has not secured approvals as yet from the Town of Goshen.

The proposal for the LEGOLAND New York resort includes a theme park with more than 50 rides, shows and attractions and a 250-room LEGOLAND Hotel. In addition, a 35,000-square-foot aquarium will open within three years of the park's initial park's opening. Unlike most other Legoland facilities, the Goshen theme park will not include a water park.

The theme park will be geared toward families with children aged two to 12 and therefore will not attract the same demographic as amusement parks, such as Six Flags or even Disney World, Royle related.

Merlin operates seven Legoland parks, including two in the United States in California and Florida. In March, LEGOLAND Japan opened for business and last October opened LEGOLAND Dubai. Merlin operates a total of 120 attractions worldwide and 28 in the United States.

During the presentation, Royle attempted to address some issues raised by opponents of the project, including traffic and land use concerns. He noted that in addition to the new Exit 125 project, the theme park will not charge customers upon entrance, but rather if necessary, on exit from the park, thus relieving bottlenecks on Route 17 and the roadway leading into the park.

The project is expected to create 800 construction jobs during development and 500 fulltime positions, as well as 500 seasonal and 300 part-time jobs.

Continued on next page

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PUTNAM POSTING

By Jennifer Maher



Consolidated Funding Applications, 2017 Edition

“CFA” has been a buzzword in state politics for awhile, yet few seem to understand it or what it means.

With the process now in its seventh year, the New York State website states, “The CFA (or Consolidated Funding Application) process marks a fundamental shift in the way state resources are allocated, ensuring less bureaucracy and greater efficiency to fulfill local economic development needs. Utilizing the CFA serving as the single entry point for access to economic development funding, applicants will no longer have to slowly navigate multiple agencies and sources without any mechanism for coordination...”

Especially in Putnam County there are questions as to the real effectiveness of the program. We have seen small amounts of money coming into the county, but simply not enough. It seemed easier to bring New York State money home to Putnam County under the old system, despite its flaws and allegations of corruption.

This year’s REDC initiatives will award more than \$800 million across the 10 economic development regions of the state, including up to \$225 million in performance based grants and tax credits from Empire State Development, and about \$575 million from two dozen state agency programs. The state is emphasizing the life sciences, workforce development strategies (including collaboration with industry and educational institutions), implementation of area strategic plans with buy-in from local stakeholders (business, education, local governments, not-for-profits, etc.) and offering additional incentives to encourage such action.

The only information session for those considering the 2017 round of CFA grants to be held in Putnam County will be on Monday, May 22, 2017 at 9 a.m. at the Putnam County Training Operations Center, Donald Smith Campus, 112 Old Route 6, Carmel. Attendees will hear this year’s current criteria, receive direction in successful preparation for their project and have questions answered by the New York State’s Mid Hudson’s Regional Office Director Meghan Taylor and Putnam County’s agent, Eric Warren.

Please let the Putnam County Chamber of Commerce know if you are attending the event, as seating is limited. Please call (845) 228-8595 or e-mail at info@putnamchamberny.org.

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

Legoland

Continued on from page 22

The theme park will run from April to October, although the LEGOLAND Hotel, aquarium and education center would operate year-round.

“We will be signing a PLA (Project Labor Agreement). It will be union labor that will be building this park,” Royle said.

He noted that along the Route 17 corridor from Harriman to Sullivan County, there will be an additional estimated 6.7 million visitors each year by 2019. LEGOLAND New York estimate that it will attract 1.5 million to 2.5 million visitors each year, while the Montreign Resort Casino in Sullivan County, currently under construction, is expected to bring 4 million patrons to the region. The casino is expected to open in March 2018. The new developments will complement other major tourism destinations in the corridor including Woodbury Common Premium Outlet, which sees about 14 million visitors each year.

Royle characterized Norwegian Airlines beginning international flights from Stewart International in Newburgh to Ireland and Scotland as a “game changer” for the region. He also said that Gov. Andrew Cuomo’s \$150-million plan to make improvements, including high-speed tolling by Exit 131 and Woodbury Common will foster improved traffic on Route 17.

He asked attendees of the session to visit the LEGOAND New York Welcome Center at 6 North Church St. in Goshen to learn more information about the project and do their own research about their other theme parks in the U.S. and abroad.

Sponsors of the CID event were Valley National Bank and Seely & Durand Insurance of Warwick.

On May 1st Merlin announced it that as part of its bid to secure approvals of its plan from the Town of Goshen it had increased the proposed host community benefits of LEGOLAND® New York for

Goshen residents.

These increased benefits from the existing proposal include:

- Every year, LEGOLAND New York will host two Community Days for the Town of Goshen and donate 50% of the revenue from the sale of tickets to the Park to the Town of Goshen.

- A 50% discount on standard one-day tickets to LEGOLAND New York for all Goshen residents for their own use. Valid proof of Goshen residency required for each ticket.

- LEGOLAND New York would pay the Town of Goshen \$500,000 of the Host Community Fee at the beginning of each calendar year, with the balance depending on actual attendance paid at the end of the calendar year.

- The theme park would pay the town’s actual costs to develop additional drinking water resources to supplement the existing water supply for Arcadia Hills.

- LEGOLAND New York is offering to pay the Town of Goshen a host community fee for every visitor to the Park. For each visitor up to two million, LEGOLAND New York would pay the Town of Goshen 65 cents, and 20 cents for each visitor thereafter—with no cap on payments. The developer estimates the new fee structure would provide the Town of Goshen with at least \$1.3 million annually, based on two million visitors, and substantially more depending on the success of the park. Over 30 years, the Town of Goshen is anticipated to receive approximately \$71 million in revenue from the host community fee, PILOT payments and tax payments.

Editor’s Note: While the project still has a number of major approvals to secure, on May 15th the Goshen Town Board approved the proposed Host Agreement with LEGOLAND New York by a 4-1 margin.

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