

# IMPACT

## BUILDING & REALTY NEWS

VOL. 8 NO.4

SERVING WESTCHESTER AND THE MID-HUDSON REGION

OCTOBER 2009

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### “Now the Hard Work Begins”:

## Landmark County Fair Housing Settlement to Pose a Series of Challenges for Stakeholders

WHITE PLAINS—In approving an unprecedented agreement to a fair housing lawsuit brought against Westchester County by the Anti-Discrimination Center of New York, the County Board of Legislators has allocated a total of \$51.6 million to support the creation of 750 units of “fair and affordable housing” over the next seven years.

The units will be located in some or all of 31 municipalities in Westchester that, based on the 2000 Census, have less than specific percentages of African American and Hispanic residents, as outlined in the lawsuit settlement:

- At least 630 units must be located in municipalities with less than 3 percent African American and 7 percent Hispanic residents.
- At most 60 units may be located in municipalities with less than 7 percent African American and 10 percent Hispanic residents.
- At most 60 units may be located in municipalities with less than 14 per-

cent African American and 16 percent Hispanic residents.

Affordable housing is defined for

County median income for a family of four is \$84,200.

Rental housing is targeted for fami-

**“Since much of the housing is targeted for the northern part of the county, where there is no extensive sanitary sewer system, adopting the latest innovative septic technologies, best management practices and meaningful density bonuses could make the difference between success and failure in the county’s implementation plan.”**

—Albert A. Annunziata, Building and Realty Institute (BRI)

both ownership or “for sale” housing units and apartment rental units.

Ownership housing is specified for families earning less than 80 percent of the Westchester County median income, based on family size. For example, 80 percent of the Westchester

lies earning less than 65 percent of the Westchester County median income based on family size. This would mean that, for a family of four, 65 percent of the Westchester County median income is \$63,180.

*Continued on page 3*

## State DEC Acknowledges Need for SEQRA Reform

ALBANY—In the wake of a late September speech before a meeting of Patterns For Progress, a mid-Hudson not-for-profit planning and environmental group, Department of Environmental Conservation (DEC) Commissioner Pete Grannis announced a new initiative to undertake a critical overhaul of the state’s environmental quality review (SEQRA) process.

Citing the need to restore balance to both environmental concerns and economic growth as the original SEQRA statute intended, Grannis announced this latest effort at regulatory reform by naming William Janeway, director of DEC Region 3, as his agency’s “point man” to work with Patterns for Progress and lead a comprehensive group of stakeholders from throughout the Hudson Valley in this effort.

Grannis’ announcement was welcomed by Albert A. Annunziata, executive director of the Building & Realty Institute of Westchester and the Mid-Hudson Region (BRI).

“The BRI has long seen the need for SEQRA regulatory reform and has developed a thoughtful set of legislative and administrative suggestions to improve the environmental review process,” he said.

Annunziata added: “Given what Commissioner Grannis has said, I think there is now recognition, on the part of all parties genuinely interested in maintaining the environmental and economic vitality of New York State, of the

need for improving the process. Simply put, the SEQRA review process needs to return to being a thorough, professional and technical hard look at a development proposal, rather than deteriorate into a NIMBY-fueled, frenzied, interminable political battle, as it sadly often does now.”

Gus T. Boniello, chairman of the BRI and a major builder-developer in the Westchester and Mid-Hudson Region, said that the BRI has made solid recommendations for SEQRA reform based on thoughtful and thorough studies going back to as early as 2003.

“One noteworthy suggestion that we made in our 2003 study was the creation of a SEQRA Review Board in DEC

to hear appeals for all disputes,” Boniello said. “Another major recommendation called for making the time frames for each step in the review process mandatory, rather than simply advisory. These changes are essential since developers are prohibited from appealing any action or inaction by a lead review agency to the courts until the entire review process is completed.”

A spokesperson for Patterns for Progress said that the response from the region’s stakeholders to get involved in this latest SEQRA regulatory reform effort was “near overwhelming” and that, as of this writing, a core group had yet to be assembled.

—An IMPACT Staff Report

## BRI Membership Meeting to Examine the Kent Manor Ruling

WHITE PLAINS—“The Kent Major Judicial Ruling – A Review of How the Town of Kent (Putnam County) is Being Held Liable for Delaying a Local Townhouse Project” is the topic of the Nov. 12 General Membership Meeting of the Building and Realty Institute (BRI).

The meeting is open to all BRI members, as well as non-members. The event, scheduled for a 6:30 p.m. start, will be at the Crowne Plaza Hotel in White Plains.

“We’re urging our members, as well

as all building and realty industry representatives, to attend this meeting,” said Albert Annunziata, executive director of the BRI. “A panel of speakers will illustrate how the town is being held accountable for its actions and many delays of the project.”

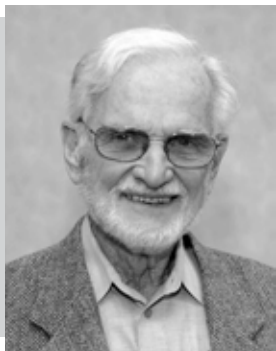
Annunziata added that full details on the event will soon be distributed.

The BRI is a building, realty and construction industry membership organization. The association has more than 1,700 members in 14 counties of New York State.



## CO-OP CONDO CORNER

By HERB ROSE



NEW YORK—"In 1980, New York State eliminated the sales tax on utilities purchased for residential purposes.

Utility companies have applied the reduced tax rates to the accounts they classified as residential. Many apartments and apartment complexes are classified as commercial accounts for their (the utility's) purposes.

Accordingly, the sales tax has not automatically been reduced or eliminated." That is a quote from New York State Department of Taxation and Finance.

Almost 30 years have passed in which the State legislature attempted to give a financial break to residential users of utilities. Many buildings overpay at least \$50 per month in excess sales tax, which adds up to almost \$18,000 over this period of time! Refunds are possible, but can go back only three years.

### The Current Scenario

Moving up to date, the practical application of the

sales tax law creates two levels of taxation: commercial and residential.

Commercial rates are generally about twice the residential rates. It is ironic that for almost 30 years, some buildings have been paying almost double the sales tax necessary. For example, White Plains commercial rates are 11.125 percent, while residential costs are 6 percent.

New York State's Tax Department has a somewhat different view of the situation than Con-Ed and the other utilities.

Utility categories classify many residential buildings as commercial for the electric and gas they deliver. However, the Sales Tax should be charged at residential rates, which is 3 percent for most of Westchester County and 4 percent for Yonkers, Mount Vernon and New York City.

Con-Ed will adamantly argue that their commercial classification of many co-ops and condos is correct and will not change the charges. New York State, on the other hand, will

# A Look at Utility Charges—Are They “Money Smart?”

process a refund of the overcharge with the proper filing.

### Options

Con-Ed aggressively is selling the idea that you can buy your electric and/or gas from another supplier. Those suppliers are called ESCOS (Energy Service Companies). They have the delivery portion of the utility service tax free. A close examination of your electric or gas bill will show you the breakdown of delivery and product.

Despite the seven percent discount offered of switching to an ESCO, the sales tax savings are 1.6 percent to 3 percent of the total bill.

In the event that the ESCO charges are higher than Con-Ed, the sales tax economy is wiped out and the cost may be higher than that charged by Con-Ed.

A simple method for comparing rates is to use two accounts - one with Con-Ed and one with the ESCO. Rates are clearly shown and contrasting one against the other can be used to see whether you pay more or less than Con-Ed. You might escape the sales tax on the delivery portion of the bill,

but the ESCO follows Con-Ed's directions and will charge you the commercial tax rate on product if your utility bill is categorized as commercial.

your utility bill and often is in the bill's extra pages. In filing for a refund, the specific information—usage, rates, sales tax, etc.—are necessary.

Are you content to pay 8.375 percent instead of 4 percent, 7.375 percent versus 3 percent, 11.125 percent against 6 percent?

Have you been overpaying since 1980 (29 years), and are you satisfied to continue being overcharged?

Pay the right amount by examining your bills. Costs for everything constantly escalate, but this is an easy win!

### Herb's Hints

1) Change the batteries in your carbon monoxide (CO) and smoke detectors with the switch to Eastern Standard Time.

2) File for a Sales Tax refund, if you are being overcharged!

**Editor's Note:** Herb Rose is a co-op and condo consultant. He is also a member of the board of the Cooperative and Condominium Advisory Council (CCAC). Rose can be reached at [hrose47563@aol.com](mailto:hrose47563@aol.com).

**Determining whether you pay the correct tax rate is a straight-forward process. All the information you need is in your utility bill and often is in the bill's extra pages.**

Determining whether you pay the correct tax rate is a straight-forward process. All the information you need is in

## THE HANLEY REPORT

By JEFF HANLEY  
Associate Director, Building and Realty Institute (BRI)/IMPACT Editor



# A Trio of Common Themes and Their Relevance to Industry Members

ARMONK—Affordability, decision-making and communications are consistent themes in this issue of IMPACT.

From the building to realty sector to choices for local businesses, those three terms are most definitely a common thread in many of our reports.

The affordability side is seen in articles related to local examples of the development of Workforce/Affordable Housing. The reports include summaries on:

- The recent grand opening of Homestead Hill, a new community in Port Chester. Project spokesmen said that the development features "value-priced town homes." The project was developed by JH Real Estate Group. The group is headed by Jamie Heffernan, a Rye native now living in Port Chester.
- The development of Vistamor in Montgomery (Orange County). Spokesmen note that the project, developed for the 55-plus sector, is a residential neighborhood "offering resort-style amenities and extraordinary value." The Montgomery Group LLC is the developer.

Nir Avrahami of the Montgomery Group said that the development offers "an incomparable value."

- A report from the National Association of the Remodeling Industry (NARI) on the economic approach of "phased remodeling." The study emphasizes that residential remodels are no longer those "once-in-a-lifetime projects that keep homeowners dreaming for 'years-on end' before they ever pick up a hammer."

Instead, the report said, many homeowners are now opting to do a series of remodels as their budgets, schedules and lifestyles evolve over time. The study added that, according to a recent Consumer Reports Poll, 36 percent of homeowners who plan to remodel are planning to do so in phases. The report added that, "in a lot of these situations, homeowners buy an existing home with the idea of changing things after they move in. They are not flush with cash, so they break them (the projects) up."

The decision-making theme is featured in articles examining issues affecting the realty

sector. The reports include studies on:

- Decisions realty industry members must make regarding some issues related to reasonable modifications under the Fair Housing Act. The study was written by Finger and Finger, A Professional Corporation of White Plains. The firm reports it receives calls on an almost weekly basis from landlords, managing agents and co-op/condo board members with inquiries on the issue. Finger and Finger is chief counsel to the Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).
- Energy options. The report, written by Herb Rose for Co-op and Condo Corner, summarizes some of the decisions owners and managers face while trying to save on energy costs.

And, finally, the communications theme is seen in:

- Tech Talk. Andrea Wagner examines the importance of e-mail marketing campaigns for small businesses. The report stresses that more than half of New York's small business community has in-

corporated an e-mail marketing campaign into their business routines.

- IMPACT's "Industry Profile." Carmelo Milio, a member of the Apartment Owners Advisory Council (AOAC) of the BRI, stresses how his communications programs can help ease the burdens fac-

ing owners and managers of multi family buildings. Milio is the first industry member to be profiled in the new IMPACT feature.

So there you have it — common threads of affordability, decision-making and communications. Enjoy the issue — and the rest of the fall!

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## County Fair Housing Settlement to Pose a Series of Challenges for Stakeholders

Continued from page 1

Sales prices are similarly constrained. The maximum sales price for the ownership units for a family of 4 would be about \$210,000 (2-3 bedrooms). The maximum rent for a family of 4 (two bedrooms) would average about \$1,700.

### Specifics

Of the 750 total number of units called for in the lawsuit settlement, at least half are

Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).

For instance, one of the more significant legal issues stemming from the implementation of the lawsuit settlement involves the applicability of a municipality's zoning and land use regulations to the county's affordable housing plans. If the county proposes to build housing on county-owned land, are

**The units will be located in some or all of 31 municipalities in Westchester that, based on the 2000 Census, have less than specific percentages of African American and Hispanic residents...**

rental, with the balance being ownership units (townhouses, condos, etc.) At most 25 percent of the units may be designated for senior citizens. At most 25 percent of the units may be existing units that currently have no restrictions as to affordability.

To avoid the possibility of profitably "flipping" units, all units counting toward the 750-unit requirement must have restrictive covenants guaranteeing a 50-year term of affordability. Ownership units may be resold, but the price will be limited to insure the units remain affordable.

### The Terms

Under the terms of the settlement, everyone will have the opportunity to purchase or rent the units. The units will be marketed to all groups and the selection process will be open equally to all applicants with no preferences.

"It's a complicated, detailed formula that the county has to follow," said one county official. While the county has its work cut out for it, it is proceeding with all deliberate speed to come up with a strategy and implementation plan by the Dec. 8 deadline.

### A Definite Need

Building and realty industry officials have long recognized the need for affordable housing in Westchester.

"While we see real promise and potential to build badly-needed housing thanks to this settlement, we do not delude ourselves as to the considerable challenges to this goal as well," said Albert A. Annunziata, executive director of the

the plans subject to the zoning regulations of the municipality in which that land is located? Alternatively, what happens if the county were to partner with a private company to build affordable units within such a "host" municipality on county property?

If the county were determined to be exempt from local zoning, does that exemption also cover environmental-related regulations, such as steep slope laws, ridgeline regs, wetlands rules, and even the SEQRA process itself?

### Questions

"These are just some of the initial, conceptual legal questions that the BRI believes need to be addressed. There are also a number of planning, engineering and financial aspects that would come into play with any implementation plan to build this affordable housing," said Annunziata. "Since much of the housing is targeted for the northern part of the county where there is no extensive sanitary sewer system, adopting the latest innovative septic technologies, best management practices and meaningful density bonuses could make the difference between success and failure in the county's implementation plan."

The BRI will be holding a series of meetings on these and other issues related to the settlement and the role builders, developers, property owners and even landlords may play in its implementation.

Further information can be obtained by checking the BRI's website at [www.buildingandrealtyinstitute.org](http://www.buildingandrealtyinstitute.org).

—An IMPACT Staff Report

### BUILDERS, DEVELOPERS AND LANDOWNERS:

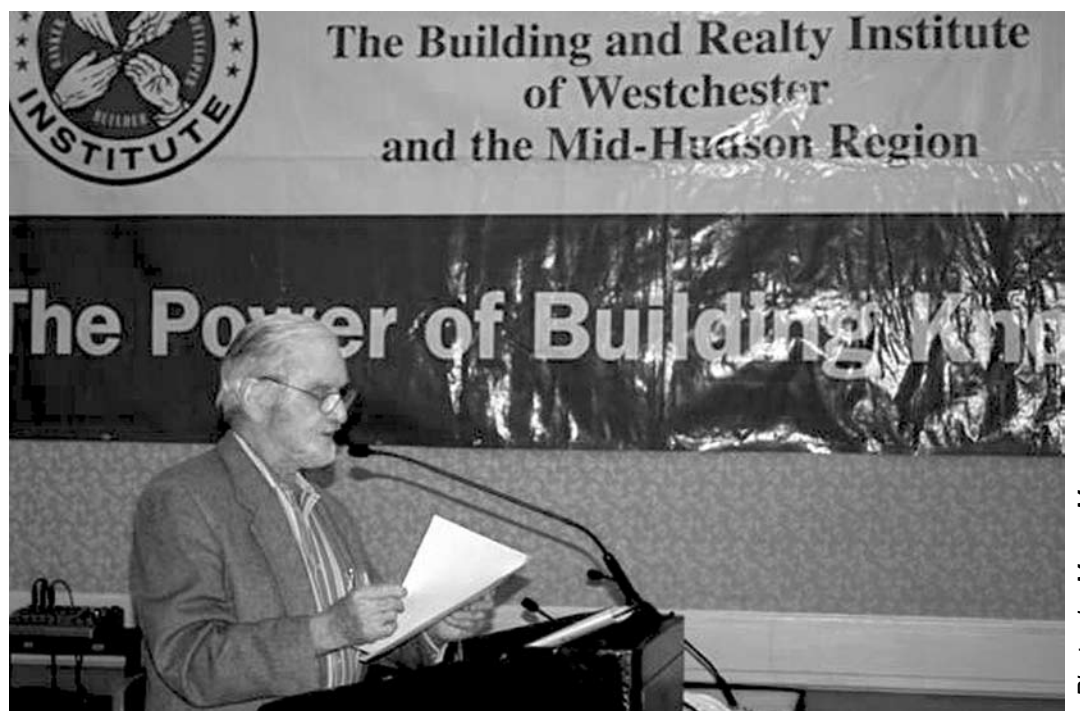
The Builders Institute can help you determine if you qualify for this opportunity. See page 6 for important information.



**EXAMINING THE REVALUATION PROCESS** – The Sep. 17 General Membership Meeting of the Building and Realty Institute (BRI) examined the effects of the proposed property tax "Revaluation Process" on Westchester County. Pictured at the event are, from left to right, Amy Allen, managing director, advocacy and international business, Westchester County Association (WCA); Gil Mercurio, chief executive officer, Westchester County Board of Realtors (WCBR); Lee Kyriacou (speaker), executive director, New York State Office of Real Property Services; Ken Nilsen, president, Building and Realty Institute (BRI); and Albert Annunziata, executive director, BRI. More than 60 BRI members and representatives of the local business community attended the event at the Crowne Plaza Hotel in White Plains.



**A REVIEW OF THE "BEDBUG SCENARIO"** – The Sep. 14 Membership Meeting of the Cooperative and Condominium Advisory Council (CCAC) reviewed problems associated with bedbugs in multi family buildings and complexes, as well as in commercial properties. Pictured during the question-and-answer portion of the meeting are, from left to right, Albert Annunziata, executive director, CCAC; and Jim McHale, Jr. (speaker), a principal of J.P. McHale Pest Management Inc. More than 50 CCAC members, as well as members of the Apartment Owners Advisory Council (AOAC) and the Advisory Council of Managing Agents (ACMA), attended the conference at the Crowne Plaza Hotel in White Plains. The associations are affiliates of the Building and Realty Institute (BRI).



**ENERGY ISSUES** – The Oct. 8 General Membership Meeting of the Building and Realty Institute (BRI) reviewed energy options for members of the building, realty and construction industry. More than 50 BRI members participated in the program at the Crowne Plaza Hotel in White Plains. Herb Rose (speaker) of Herb Rose Consulting is pictured during the meeting.



## Creating a Greener Tomorrow... ...One Neighborhood at a Time.



**CPC**, the leader in multi-family financing solutions, is once again leading the way with its new **Green Financing Initiative**. This innovative program combines quick and easy financing solutions for property owners with *Simple, Sensible and Sustainable* solutions to retrofit existing multifamily buildings.

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## Report: With Markets Down, Homeowners Turn to "Phased Remodeling"

DESPLAINES, Ill.—Residential remodels are no longer those once-in-a-lifetime projects that keep homeowners dreaming for "years on end" before they ever pick up a hammer.

Instead, many homeowners opt to do a series of remodels as their schedules, budgets and lifestyles evolve over time,

years. For example, homeowners might opt to start slow, with a remodel to a powder room or closet, and then tackle a larger project, such as the kitchen, master bath or home addition, NARI said while issuing highlights from the poll.

"Most people don't think of their house as 10 projects they

and projects over time. Technology is driving people's ability to find, follow, interact and collaborate forever with anyone and anything, and home improvement is just one of the areas benefiting from that trend, NARI said in its assessment of that study.

"In a lot of these situations,

**These phased remodeling projects are part of a larger trend in American consciousness, which "Trend Watching" calls "Foreverism."**

according a recent report by the National Association of the Remodeling Industry (NARI).

In fact, NARI said, according to a recent Consumer Reports Poll on home remodeling, 36 percent of homeowners who plan to remodel plan to do so in phases.

### A Timed Approach

Serial remodels, or phased remodeling projects, can go over several months and even

want to do and prioritize them," says Matt Lederer, president of Mahogany Builders in Chicago. "It's not a one-time shot - people choose projects they can afford and that will influence resale."

These phased remodeling projects are part of a larger trend in American consciousness, which "Trend Watching" calls "Foreverism." It speaks to people's desires to continue conversations, relationships

homeowners buy an existing home with the idea of changing things after they move in," Lederer said. "They are not flush with cash, or they just don't have it in them to do a series of projects, so they break them up."

### The Benefits

Phasing a remodeling project has a number of benefits, Lederer said. For homeowners

*Continued on page 8*

## Industry Profile:

# Milio Realty Thrives In Its Ownership and Management Routines

By Jeff Hanley, *IMPACT* Editor

YONKERS—The term "Family Affair" most definitely applies to the operations of Milio Realty Corp. of Yonkers.

The company is led by Carmelo Milio, a member of the Apartment Owners Advisory Council of Westchester and the Mid-Hudson Region (AOAC).

Milio's brother-in-law, Giovanni Puerta, and his father, Filippo Milio, round out the firm's family connection, a unit that emphasizes communication in all of its business routines. The trio combines to help orchestrate the operations of the full-service management, investment and sales company. Founded in the late 1970's, the firm conducts business in Westchester and Dutchess counties, as well as in Connecticut.

While acknowledging that his sector of the realty industry has always faced difficulties, Carmelo Milio is quick to cite that the challenges have increased during the recent economic downturn.

"Collection problems (associated with rents) are up a lot," said Milio, who serves as president of the company. "A lot of people are struggling with the economy. We have somebody just on collections."

Keeping costs down and dealing with the increases in expenses provide other challenges for owners and managers, Milio said. He stressed that the continuing rises in property taxes in Westchester County are a major concern.

"Heating oil is another area," he said. "Prices were down recently, but they are going back up."

Stressing those increases and the difficulties of running a multi family building to tenants is a key for his company, Milio said.

"We work with people in keeping an 'Open Door Policy' —we treat all equally," he said. "That definitely gives us an opportunity to compare the good and bad things in our business."

### Important Points

A method toward reaching the "good things" in the business includes Milio's belief in five ways to create a better environment for the industry. He stressed those points in a recent article he wrote for the New York Real Estate Journal. The tips are:

1) Finding the Right Tenant for an Owner/Manager and His Property. Milio emphasized that "sticking to a strict guideline will improve the stability and collections procedures for owners/managers."

2) The Creation of Income and Value. Milio said that owners and managers should pursue ways to generate ad-



Carmelo Milio

ditional income. He noted that his company conducts inspections and eventually offers methods to owners and managers for increasing revenue.

3) Daily Operations. Milio stresses that the creation of a Property Maintenance and Operations Handbook can offer considerable help to owners and managers as they deal with daily routines. The creation of the guide, he said, helps owners and managers run their respective properties "more efficiently."

4) Collections Squad. The formation of such a unit, Milio said, can assist tenants who need help in the form of a payment plan. It can also suggest other options. He added that his firm's 'Five-Step' Collection Process keeps the company fresh in the tenants' minds, while allowing for action before those tenants "fall too far behind."

5) Energy Efficiency. Milio said that his firm utilizes an energy consultant to produce methods on reducing costs. Keeping a fuel log and analyzing all energy bills to strive for continued efficiency are keys for owners and managers, he said.

"Those are five ways to create peace of mind for owners and managers," he said. "They also make it a lot easier to deal with tenants."

A Westchester native and a graduate of Pace University, Milio is quick to mention the benefits of membership in the AOAC as another positive for owners and managers. He will soon complete his first year as a member of the association's board of directors. The AOAC has more than 300 owners and managers who are responsible for more than 25,000 units in the Westchester and Mid-Hudson Region.

"The association provides good networking," he said. "You're able to interact with those who are also experienced as owners and managers."

## COUNSEL'S CORNER

By Kenneth J. Finger,  
Carl L. Finger and  
Daniel S. Finger

Finger & Finger, Chief Counsel,  
Building & Realty Institute (BRI)



WHITE PLAINS—The Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status and disability (or as referred to in the Act as “handicap”). This article will only deal with the latter (disability or handicap).

One type of prohibited discrimination is a refusal by a landlord (whether it be a rental landlord or a cooperative, or even a condominium) to permit “reasonable modifications” of the existing premises which are occupied by a person or to be occupied by a person if those modifications are necessary to allow the person to have full enjoyment at the premises.

While the Landlord is not required to pay for the cost of the modifications and can require the person with the disability to pay for the cost of the modification, that is only the first step in dealing with a myriad of problems, questions and issues that arise in this area.

### Inquiries

On almost a weekly basis we get calls from our clients, whether managing agents, landlords, or a board member of a cooperative or condominium, with an inquiry in this area. This article will deal only with existing premises, not new construction, and will discuss some of the issues that arise, as well as the suggested response to the particular issue.

The language of the Act prohibits anyone from refusing to make a “reasonable accommodation” as to “rules, policies, practices, or service” when any of those are required to allow a person with a disability the equal opportunity to use and enjoy a dwelling.

A “reasonable accommodation” or in this case a “reasonable modification” may include both non-structural as well as structural changes to the premises, however, the property owner can require that they be at the sole cost of the person seeking the accommodation. Moreover, the property owner can also require that the person restore the premises upon vacating them and there are situations where the landlord might even require that the disabled person deposit funds in escrow to assure that that person has the financial ability to restore the premises to its pre-existing condition upon vacating same.

### Specifics

Examples of modifications are the installation of a ramp so as to allow wheelchair access to a premises; widening doorways to make rooms accessible for wheelchairs; lowering of kitchen cabinets to a height which can allow persons with wheelchairs access; installing “grab bars” in bathrooms; and replacing door knobs with levers and others. Our office even had a situation where the landlord allowed the installation of a track and lift so that a very heavy person could be moved from the bedroom to the bath and then be lifted into the bath. It must be remembered, however, that the tenant is responsible for paying for the cost of the accommodation.

The next inquiry may be as to who is a “disabled person?” The Act provides that if a person has a physical or mental impairment that substantially limits one or more major life activities, that person meets the definition of “disabled.”

Next, the modification has to be specifically set forth and finally, there has to be a relationship between the person’s disability and the need for the requested modification. Prima facie evidence of disability is generally met by a person providing proof that an individual under 65 receives SSI (supplemental social security income or disability benefits). That, of course, is not exclusive. A person can provide medical or other verification of disability. There frequently is no necessity for detailed medical information and the only inquiry might be whether the accommodation is necessary to meet the needs of the disabled person.

For example, if a person is wheelchair bound, and a ramp is the requested modification, it may not be necessary or even appropriate to ask for medical proof of either the disability or information establishing the nexus between the disability and the need for a ramp – it is obvious. As a general rule, the information received by the landlord/housing provider should be kept confidential.

As an example of a modification that may be refused: if a condo unit owner wants to install two doors rather than one door for ingress and egress, allegedly because it is easier to get in and out, the condo might well be within its rights in refusing to permit the change because it is not reasonable to assume that there is a nexus between the disability and the request for two doors.

### Additional Areas

Reasonable modifications are not limited to the interior of an apartment, house or unit. They can be required for common areas, play-

## Reasonable Modifications Under the Fair Housing Act

grounds, entrances and exits, and even laundry rooms and exercise rooms. Further, the property owner may not only be required to provide “handi-

property owner is not required to allow a modification.

Financial issues should also be discussed, not only as to installation, but possibly as to

**Reasonable modifications are not limited to the interior of an apartment, house or unit. They can be required for common areas, playgrounds, entrances and exits, and even laundry rooms and exercise rooms.**

capped parking” but might also have to provide that the parking be nearer to the premises than previously designated and will also be required to provide curb cuts, proper signage and easier access.

In any case, if there is an inquiry, the property owner is encouraged to call counsel for a discussion of the requirements of the law and possible options. They may be more extensive than indicated herein, or there may be situations where the

maintenance. These and other issues will be discussed in a future article as well as situations where there may be a difference between reasonable modifications and reasonable accommodations.

**Editor's Note: Finger and Finger, A Professional Corporation, is based in White Plains. The firm is chief counsel to the Building and Realty Institute of Westchester and the Mid-Hudson Region (BRI).**

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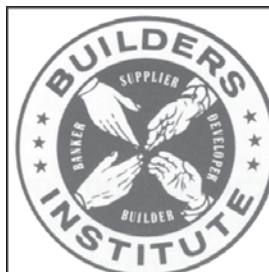
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Housing Case Study:

# Local Officials Join with CPC to Celebrate Opening of Homestead Hill in Port Chester

PORT CHESTER—Village of Port Chester officials recently joined with a local developer and representatives from The Community Preservation Corporation (CPC) to celebrate the grand opening of Homestead Hill, a new community of value priced town homes in Port Chester.

Located at 19 Olivia Street just one block from the Boston Post Road, Homestead Hill features 11 townhomes overlooking a beautifully landscaped courtyard with a gazebo, project officials said. Each three-story residence is approximately 2,000 square feet with 3 bedrooms, 2.5 baths and an option for a

third full bathroom.

Priced from \$439,000, the spaciouly designed town homes feature hardwood floors, stainless steel appliances, solid wood cabinets and granite countertops. Each town home has a rear private balcony with views overlooking the village.

Standard features include Kohler fixtures, clad wood windows, nine-foot high ceilings on the first and second floors and classic wood moldings, project officials said.

Homestead Hill is developed by JH Real Estate Group. CPC, a not-for-profit mortgage lender, provided a \$4 million

construction loan for the project, spokesmen said.

### An Opportunity

"We are delighted to celebrate the completion of this exciting new neighborhood of town homes in one of the area's most dynamic villages. Homestead Hill is an extraordinary value in today's real estate market," said Jamie Heffernan, principal of JH Real Estate Group.

The completion of Homestead Hill is a homecoming of sorts for Heffernan, who grew up in neighboring Rye and now resides in Port Chester.

"There are many people

who grew up in Rye who can't afford to live there anymore. Homestead Hill, which is between downtown Port Chester and Rye, is an excellent opportunity for many of today's first-time homebuyers," he said.

"CPC is very pleased to have provided the construction financing for this attractive and well-designed town home community. We commend Jamie Heffernan for having transformed this property, which was once a rundown vacant home, into a beautiful new neighborhood," said Douglas L. Olcott, vice president of CPC's Hudson Valley Office in Hawthorne.

Homestead Hill is conveniently

located within walking distance of Port Chester's vibrant waterfront development that features theaters, a supermarket, retail stores and restaurants. The Metro North train station is just four blocks away and the property is convenient to major highways, including I-287 and I-95, spokesmen said.

CPC is a not-for-profit mortgage lender that finances residential multifamily development throughout New York, New Jersey and Connecticut. Since its founding in 1974, CPC has invested more than \$7 billion in more than 150,000 units of housing, officials said.

## Builders, Developers and Land Owners:

### The Builders Institute of Westchester,

a professional trade association over 1,200 members strong and serving builders, contractors and suppliers vital to the county's housing needs for over 60 years, is reaching out to offer you a

### RARE OPPORTUNITY—

On September 22nd, the Westchester County Board of Legislators approved a **settlement in a fair housing lawsuit**. As part of this settlement, Westchester County has **committed to build 750 units of affordable housing** in 31 municipalities. The units can be rental or ownership.

This presents an opportunity for developers and land owners to get county assistance in obtaining municipal approvals of development projects in these communities.

- ✓ *If you have vacant land...*
- ✓ *If you have development proposals pending...*
- ✓ *If you have existing units...*

(Accessory apartments, small multi-family houses are a possibility, too)

***This is an opportunity to jump start the difficult housing development market and land use approval process in Westchester County.***

The Builders Institute will consolidate all responses from interested owners and developers and submit them to the County for consideration.

***If you have land, development proposals or existing buildings that you feel may be a possibility for such housing*** and wish to consider making all or some of the units affordable, in conjunction with the county's settlement obligations, please contact the Builders Institute of Westchester.



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Armonk, NY 10504  
Phone: 914-273-0730  
Fax: 914-273-7051

## NAI Friedland Realty Closes Six Deals

YONKERS—NAI Friedland Realty recently announced that its Industrial, Office and Retail divisions closed six Westchester, Rockland and Bronx lease and sale transactions last August.

The combined deals total more than \$9.5 million and represent nearly 77,000 square feet of space.

The company's Office Team completed two transactions:

- The Lease of 3,482 square feet at 1133 Westchester Avenue in White Plains. Executive Directors Eilen Benedek and Carl Silbergleit brokered the deal between Robert Weisz of RPW Group (landlord) and Center Management (tenant). Benedek and Silbergleit represented the tenant in the 13-year lease. The asking price was \$32.50 per square foot, plus electric.
- The lease of 1,354 square feet at 700 White Plains Road in Scarsdale. Benedek and Silbergleit brokered the deal between Vernon Hills Shopping Center (landlord) and the Church of Latter Day Saints (tenant). Benedek and Silbergleit represented the tenant in the five-year lease. The asking price was \$26 per square foot, plus electric.

The firm's Industrial Team completed three transactions:

- The lease of 24,300 square feet at 718 S. Fulton Avenue in Mt. Vernon. Executive Director Steve Kornspun brokered the deal between Simone Development (landlord) and Transcare (tenant). Kornspun represented landlord and tenant in the long-term lease. The asking price was \$9.50 per square foot, net.
- The lease of a 4,500 square foot building and 4,500 square feet of land at 775 Tiffany Street in the Bronx. Kornspun brokered the deal between Kimco Realty Co.

(landlord) and Billy Matthews (tenant). Kornspun represented the tenant in the five-year lease. The asking price was \$6,800 per month, base taxes included.

- The lease of 3,045 square feet at 36 North 9W in Congers. Industrial Associate Alan Zucco brokered the deal between Snow Church Realty (landlord) and Slatery Moving & Storage (tenant). Zucco represented both the landlord and tenant in the two-year lease. The asking price was \$8 per square foot.

The company's Retail Team completed one transaction:

- The sale of 40,000 square feet at 4401 Bronx Boulevard in the Bronx for \$5,190,000. Retail Associate Rick Stassa brokered the deal between BD Capital Advisors (seller) and Montefiore Medical Center (purchaser). Stassa represented both the seller and purchaser in the sale.

"As more property continues to come on the market, there definitely are deals to be made," said Tony Lembeck of NAI Friedland Realty. "Friedland's brokers are ready to fill every vacancy in Westchester and the Bronx. We have our finger on the pulse of the market and our brokers are very, very active."

NAI Friedland Realty Inc., founded in 1970, is a full-service commercial real estate firm covering the entire metropolitan New York area, with a majority of its business in Westchester County and the Bronx, but additionally in Putnam and Rockland counties, New York, Connecticut, and New Jersey. Headquartered in Yonkers, Friedland also maintains a satellite office in Manhattan, spokesmen said.

Friedland is a member of NAI, the only managed network of commercial real estate firms in the world, officials added.

# Business Community to Albany: “Stop Destroying our Economy”

ALBANY—An unprecedented and broad coalition of business organizations—representing tens of thousands of job-creators and employers from throughout New York—recently united to send a clear message to the Governor and Legislature as they returned to Albany to address New York’s growing mid-year budget deficit.

The message told legislators to “forget about imposing even more job-killing tax and fee increases and deal with the real issues that are creating New York’s ongoing budget crises.”

“The budget passed this spring contained the biggest tax increase in New York history and has done real damage to our economy and ability to create jobs. State leaders failed to position New York for a road out of the current economic recession. And yet, now they still face budget deficits that must be closed. The answer is simple: New York State must cut its spending. It cannot tax its way out of this fiscal crisis,” said Kenneth Adams, president and chief executive officer of The Business Council of New York State, Inc.

Mike Elmendorf, New York State director of the National Federation of Independent Business (NFIB) said: “When this budget emerged after being negotiated in secret, many of us called it the ‘worst budget ever’ and we were right. It was not only the biggest spending increase in state history, but also smacked New Yorkers with the largest combined

York’s structural budget issues and lower our out of control spending, oppressive tax burden and high costs of doing business and living.”

### A Call for Action

“Taxpayers and businesses are saying it loud and clear—stop ‘nickel and diming’ us into oblivion and start addressing our needs and concerns. Gov. Paterson and the Legislature must close the budget gap by cutting costs, and then they must start giving back what they’ve taken from us by reducing the costs of living, working and running a business in this state,” said Brian Sampson, executive director of Unshackle Upstate. “New York has real fiscal problems that cannot be solved by continually reaching into the pockets of taxpayers. Lawmakers must go through this budget and start crossing off the things that aren’t necessities and that includes the long-standing ‘sacred cows.’”

“It is not an exaggeration to say that the future of New York State is now. Reform recommendations that were prudent two years ago are no longer enough. For example, the introduction of a Tier V pension plan for new government hires is no longer enough when the current pension costs will skyrocket due to the market downturn and taxpayers have to make up the shortfall. Extensive structural reform is required if the New York economy is to survive,” said William Mooney, president of the Westchester County Association.

### The Trouble

The problem, the coalition is stressing as a result of assessments of combined studies, lies in two words: taxes and spending:

- New York’s state and local tax burden is the highest in the nation, 60 percent above the national average.
- New York’s 2009 Business Tax Climate Ranks 49th, which includes a combination of corporate taxes, individual income taxes, sales taxes, unemployment insurance taxes, and taxes on property.
- New York’s cost of doing business is the second highest in the nation. Only Hawaii is a more expensive state in which to do business.
- Per capita state and local spending in New York is the second highest in the nation, trailing only Alaska.
- New York lost two million people to other states between 1998 and 2007—the nation’s largest, net domestic migration outflow in that time.

New York’s deficit is growing because spending is soaring well above the rate of inflation, the coalition added. Revenues are flat, and trying to adjust the revenue curve up to meet spending would be disastrous, coalition officials added. Even before this year’s budget tax increases, New

York’s per capita state and local tax burden was already the second highest in the nation, 60 percent above the national average, according to the U.S. Census Bureau, the coalition said.

### Steps Are Needed

The coalition of business organizations is urging the Governor and Legislature “to take real and meaningful steps to address the root cause of New York’s chronic budget problems—spending that both New York state government and its taxpayers simply cannot afford.”

In addition to spending reductions to address the current fiscal year deficit, action needs to be taken on broader reforms that will reduce the cost of government going forward, the coalition said. These include a spending cap, property tax cap, implementation of the Lundine Commission’s recommendations on local government efficiency and consolidation, and Tier V public employee pension reform.

The coalition said that these measures would save taxpayers billions, and added that they have had bi-partisan support.

“As business owners, farm-

ers know that there are things that they can’t control, such as low commodity prices or bad weather. However, farmers are extremely frustrated at the high

said Julie Suarez, director of the Public Policy for New York Farm Bureau.

“The idea that Albany’s tax increases have no economic

**“New York has real fiscal problems that cannot be solved by continually reaching into the pockets of taxpayers. Lawmakers must go through this budget and start crossing off the things that aren’t necessities and that includes the long-standing ‘sacred cows.’ ”**

— Brian Sampson, executive director of Unshackle Upstate.

cost of farming in New York. We’ve lost farmland and farmers in recent years, and we need to be pro-active if we’re to keep farmers producing local food in our communities. It’s time to control mandates, fees and taxes, and excessive and redundant regulatory costs,”

consequences is false. The idea that businesses and individuals will not abandon this state because of its penchant for continually increased spending paid for by taxpayers is dangerously misguided. There are already negative

*Continued on page 9*

**New York’s state and local tax burden is the highest in the nation, 60 percent above the national average.**

tax increase, ever, during the worst economic downturn since the Great Depression.”

He added: “Employers and employees alike cannot afford anymore. Gov. Paterson was right to say that even higher taxes and fees should not be on the table as the Legislature reconvenes to close the budget gap, but history tells us that business owners and taxpayers still have reason to be watching their wallets. It is high time for Albany to stop managing its finances from crisis to crisis, and instead of imposing even higher taxes that will further decimate our economy, take real steps to address New



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# NAI Friedland Realty Closes Two Significant Transactions

YONKERS—NAI Friedland Realty has closed two noteworthy Westchester office transactions totaling more than \$11 million and representing close to 55,000 square feet of space, company officials recently announced.

Ellen Benedek and Carl Silbergleit, executive directors at the Yonkers-based commercial real estate firm, negotiated on behalf of the seller, SEMX Corporation, the \$4.7 million sale of 1 Labriola Court in Armonk to 30 Clairmont LLC.

Benedek and Silbergleit also secured a \$6.315 million aggregate lease for Children's Corner Learning Center at 580 White Plains Road in Tarrytown. The property's landlord is RXR Realty.

Officials said that, to complete the deals, Silbergleit and Benedek combined their "in-depth knowledge of and experience in the Westchester office market, with 26 years and 20 years of experience, respectively."

The Labriola Court property, 43,700 square feet of space on a 4-acre site, required a purchaser who was willing to close quickly while allowing the seller to remain as a tenant for several months under specific terms. By promoting open lines of communication

between both parties, the brokers enabled the deal to progress smoothly over the course of four months, spokesmen said.

The 10,749 square feet of space Benedek and Silbergleit leased at 580 White Plains Road in Tarrytown, however, was empty for years, officials added.

"Our customer has been eyeing this particular space in Tarrytown for several years," Silbergleit said. "We had been pursuing this market for a dozen years now and finally had the opportunity to satisfy our customer's desire to open a child care center in this market."

The Friedland brokers knew both the prospective tenant and Tarrytown landlord, company officials said.

"The fact that we leased the tenant's corporate office from the same landlord and renewed that lease recently also helped establish the credibility and relationship that led to a successful outcome," said Benedek.

She added: "Carl and I have completed seven deals with Children's Corner Learning Center, predominantly in Class A office buildings such as 1133 Westchester Avenue, White Plains; Hutchinson Met-

ro Center, the Bronx; and Blue Hill Plaza, Pearl River, so we were able to put this deal together quickly once the owner decided to pursue day care as an amenity for its portfolio."

"We completed these deals in what is essentially a flat office market because the atmosphere appealed to our clients," Silbergleit added. "Those in a position to lease or buy can take advantage of the current market, which offers attractive prices and an increasing number of vacancies in desirable locations."

NAI Friedland Realty Inc., founded in 1970, is a full-service commercial real estate firm covering the entire metropolitan New York area, with a majority of its business in Westchester County and the Bronx. The firm also conducts business in Putnam and Rockland counties, New York City, Connecticut, and New Jersey. Headquartered in Yonkers, Friedland Realty also maintains a satellite office in Manhattan.

Friedland Realty is composed of four divisions - Retail, Industrial, Office, and Residential/Development. The company is a member of NAI, the only managed network of commercial real estate firms in the world, spokesmen said.

# Houlihan-Parnes Reports Local Transaction

MAMARONECK—Jim Coleman of Houlihan-Parnes Realtors, LLC has arranged for the acquisition of The Post Road Center at 587-621 East Boston Post Road in Mamaroneck, company officials recently announced.

The neighborhood strip center was built in 1966 and consists of 16,000 square feet. The property is fully occupied with 13 tenants. Notable tenants include the Circle Swim Shop, Edible Arrangements, Mamaroneck Flowers, Post Restaurant and Pizza Gourmet. The center has ample on-site parking and street parking, officials said.

The acquisition was completed on an all-cash basis to complete a tax-free exchange. The new owners plan to make upgrades to the property and consider the purchase a long term opportunity, spokesmen said.

Houlihan-Parnes Realtors, LLC is a multi-faceted real estate investment company headquartered in White Plains. Its companies and affiliates are engaged in the acquisition and ownership of all types of commercial real estate investment property in the continental U.S. The firm's various companies and affiliates specialize in commercial mortgage finance, investment sales, property management, leasing, mortgage servicing and consulting, company officials said.

# Goldschmidt and Associates Unveils Local Activity

WHITE PLAINS—Eric S. Goldschmidt, senior partner of Goldschmidt and Associates (G&A), recently announced that Gene Pepe Jr. and he have brokered two large Westchester County leasing transactions.

At 376 Tarrytown Road in White Plains, Pepe and Goldschmidt represented the owner on a transaction with the new area Volkswagen (VW) dealership. VW was represented by MJB Realty. The 7,000 square foot building sits on one-half acre across from the Crossroads Shopping Center. Occupancy is planned for the end of 2009, company officials said.

At 36 Midland Avenue in Port Chester, Pepe and Goldschmidt represented Pro-Swing, a baseball training facility. The company is transforming 25,000 square feet of high ceiling industrial space into a facility which will train athletes from Westchester, Rockland and Fairfield (Conn.) counties. The landlord, Lighthouse Group, was represented by Kevin Langtry and William Cuddy Jr. of CBRE.

Goldschmidt said that both deals required variances by the Town of Greenburgh and the Village of Port Chester.

"Both communities were very cooperative and forward-thinking," Goldschmidt said. "They realized that in this economy, ratables are important, that these properties needed work, and the uses would enhance the area. So it was a win-win-win for everyone."

Goldschmidt & Associates specializes in the leasing and sales of commercial, industrial and retail properties in the New York Metro area, company officials said.

# Homeowners Turn to "Phased Remodeling"

Continued from page 4

who can't fund the entire project upfront, breaking elements of a major home remodel into stages can help extend costs over time and buy homeowners more time to save or find funding.

Embarking on a series of smaller projects also keeps homeowners less stressed, he added.

"Everyone has what I call a 'construction tolerance'," Lederer said. "Some people get excited about the remodel but a few weeks into it they get tired of people showing up at their house at 7 a.m."

Lederer recently completed a phased remodel for Jane Tiffen, a Chicago-based condominium owner. In the first phase, which began in 2007, Lederer gutted and remodeled the home's guest bathroom. He then came back to com-

plete a master suite remodel this spring, NARI said.

## The Thinking

"We had moved into this apartment and knew we wanted to change things," Tiffen said. "The bathrooms had the standard run-of-the-mill stuff you find in new apartment buildings, and we wanted to upgrade it. We phased the projects because we wanted to think about how we were going to do it and live in the place for a while."

NARI is the only trade association dedicated solely to the remodeling industry. With more than 8,200 member companies nationwide, the association, based in Des Plaines, is "The Voice of the Remodeling Industry," officials said.



By Andrea Wagner  
Wagner Web Designs, Inc.

# TECH TALK To E-News Blast, or Not to Blast

YORKTOWN HEIGHTS—According to a recent poll, more than half of the New York area's small business community has incorporated an email marketing campaign into their marketing practices.

The Building and Realty Institute (BRI), the publisher of this newspaper, is one of those businesses!

The approach can be used for many purposes, but the main focus is to inform your market of new products, services and events, and to drive sales.

There are rules for sending out these email blasts to confirm maximum impact and to prevent users from opting out from future blasts:

- The frequency of your e-news blast should be kept to twice a month.
- Use a reputable e-marketing company (such as Constant Contact) to ensure that your emails are not delivered as spam.

- As for events:
- Send out advance notices and then another reminder notice close to an event.
  - Don't send out new, upcoming announcements the day or two before an event that you want to draw attention to. It diminishes the scheduled event.
  - And, for information:
  - Publish interesting tidbits and information relating to your business and introduce new products or services. This is a good way to keep your company name at the fore front of your reader's minds. It establishes your company as an expert in your field and sends a message out that you are on top of the current trends in your market.
  - Encourage feedback. Attach specials and or coupons to encourage your emails to be opened. Many emails are sent these days but not read. Make your subject line so provocative that it will want to be read.
  - Most services have a reporting tool that will allow you to see what percentage of your emails have in fact been read, and even

forwarded.

- Some services have a survey creator. What better way to find out what your customers want than to ask them directly.

## Google Update

Improve your company's visibility by registering with [www.google.com/profiles/me](http://www.google.com/profiles/me).

The free service will allow you to present your goods and services to other Google users. The profile will show up in any users search and is viewable by anyone.

If you're really ambitious, go to [www.google.com/intl/en/options](http://www.google.com/intl/en/options) to blog, set up a calendar, explore the earth, create a gmail acct., share photos and more.

Just don't say I didn't warn you — it's addicting and you'll need to get up and stretch occasionally!

**Editor's Note: Wagner Web Designs is a web design company based in Yorktown Heights, N.Y. The company specializes in small businesses. For web development, maintenance or search engine optimization, visit [www.wagnerwebdesigns.com](http://www.wagnerwebdesigns.com).**



# Business Community to Albany: “Stop Destroying our Economy”

Continued from page 7

consequences to the taxes raised by Albany just a few months ago. Small businesses, which create 80 percent of New York’s jobs, have been pushed to the edge of the economic precipice. Not-for-profits, which make up our state’s safety net, are struggling to survive. This has to stop. The Governor and the Legislature must not solve this year’s budget gap with any form of tax or fee increases,” said Matthew Crosson, president of the Long Island Association.

### It’s Now or Never

Garry Douglas, president of the Plattsburgh-North Country Chamber of Commerce, added that “enough is enough.”

“With every additional dollar of taxes, fees and mandates, New York State is destroying jobs and driving people out of upstate. The budget cannot be fixed by taxing more. We have to create conditions for economic growth, and that means

much of that is due to skyrocketing property taxes and our young people fleeing this state. It is time for New York to show some common economic sense,” said Philip LaRocque, executive vice president of the New York State Builders Association.

“New York State cannot tax itself back to prosperity. In the real world, in businesses and in households, we have no choice but to live within our means, to scrutinize our spending, if we are to keep a roof over our heads or our operations running. It’s high time New York’s elected officials stepped up and required our state government to live by these same rules. That means capping property taxes, cutting spending and finding efficiencies in operations through consolidations and other means,” added Sandy Parker, president and chief executive officer of the Rochester Business Alliance.

‘politics,’ long ago, surpassed ‘purpose’ as the goal of those in power. Or worse, ‘politics’ has become the ‘purpose.’

related to the license. Meanwhile, the State allows their unlicensed, untaxed competitors to have a huge price ad-

“Extensive structural reform is required if the New York economy is to survive.”

— William Mooney, president, Westchester County Association

Study after study says taxes and union influence are the two most serious inhibitors to NY’s sustainability. Our elected officials must, today, be bolder than their predecessors.”

He added: “The private sector, for example, has converted defined pension plans into 401ks. The public sector must do the same. Capitulation to untenable demands by organized labor must be resisted. Welfare programs must be replaced by real jobs programs and incentives must be provided to the private sector to make this happen. A continuing burden of ever increasing taxes and fees will destroy our state.”

“One of the license fees that mom-and-pop retailers have to pay New York State is going up 900 percent to 4,900 percent, and it’s based on their gross sales of products totally un-

vantage by choosing not to enforce tax collection laws already on the books. Where does it end, other than small business bankruptcy?” said James Calvin, president of the New York Association of Convenience Stores.

“After passing what has become known as the worst budget in history, New York cannot continue to place additional costs on our businesses and taxpayers. It is unconscionable that, during a severe economic recession, this administration would choose to pass a budget containing over \$6 billion in new taxes and fees, while also increasing spending over the previous year. New York is already the most expensive state in which to operate a trucking company and has the second highest cost of doing business in the nation. We can no longer

afford this tax and spend fiscal policy. It is no wonder that more and more of our businesses are choosing to move out of New York State,” said Kendra L. Adams, executive director of the New York State Motor Truck Association.

Lou Santoni, chief executive officer of the Greater Binghamton Chamber of Commerce, added: “We’ve lost 20,000 private sector jobs in our region in the last decade. New private sector job loss announcements seem to appear in the news almost everyday. Albany must realize that without a strong private sector, there will be little money for the public sector. We have to lower taxes immediately and reduce, not just freeze, the size of the state budget so the private sector will invest in New York.”

Other coalition partners include: The Mainstreet Small Business Coalition, the Northeast Ag and Feed Alliance, the Empire State Restaurant and Tavern Association, the New York State Nursery & Landscape Association, the New York Corn Growers Association, the Northeastern Retail Lumber Association, the New York State Liquor Store Association, the Adirondack Regional Chamber of Commerce and chambers of commerce from throughout New York State, coalition officials said.

“If Albany doesn’t change now, we may never be able to recover.”

— Garry Douglas, president, Plattsburgh-North Country Chamber of Commerce

reducing the size of state government and enacting common sense reforms in almost every state program and policy. If Albany doesn’t change now, we may never be able to recover.”

“The residential housing industry in New York is falling off of a cliff right now. Housing permits are down 80 percent over the last five years, and

Al Samuels, president and chief executive officer of the Rockland Business Association, stressed that “for too long, New York has been at the wrong end of every study measuring criteria for a successful economic climate.”

Samuels said: “This has been true regardless of which political party controls Albany. It would certainly appear that



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Development Case Study:

# Vistamor “Generating Excitement” with Buyers Throughout the Hudson Valley, Officials Stress

MONTGOMERY, N.Y.—Homebuyers in the Hudson Valley Region looking for a 55-plus residential neighborhood that offers resort-style amenities, a magnificent country setting and extraordinary value won’t have to search very far with the debut of Vistamor, project spokesmen recently announced.

Located in the quaint Orange County community of Montgomery, Vistamor is redefining active adult living, officials said.

Situated on 186 acres of lush rolling hills and meadows, Vistamor features three distinctive home collections—Cottages, Classics and Country Homes – preview priced from the “\$200’s” to the “\$400’s,” officials added.

Spokesmen said that the 455 residences and recreational amenities are carefully integrated into the landscape to create a neighborhood where most homes open to vistas or green space.

Specifics

Amenities abound at Vistamor, including an outdoor pool, all-weather tennis courts, a 10,000-square-foot clubhouse with a fitness room, an indoor circular exercise pool, sauna, steambath, yoga classes and a virtual golf center. There will also be a demonstration kitchen for cooking classes and a dedicated activities director from American Leisure, one of the nation’s leading fitness, lifestyle and spa management companies, project officials said.

Vistamor will also have bocce, croquet, lawn bowling, volleyball, badminton and shuffle-

board, as well as hard surface jogging trails with exercise stations. Residents of Vistamor will also be able to get together at the barbecue and picnic area and enjoy concerts at the bandstand. In a unique feature, Vistamor will have community gardening and a greenhouse for gardening classes, officials added.

“Vistamor is designed for those who wish to enjoy life’s pleasures in a place where they can connect with their neighbors,” said Nir Avrahami of the Montgomery Group LLC, the developer of Vistamor. “We have taken the land and vistas and created a neighborhood that encourages activity, whether it’s walking, jogging or just simply experiencing the beauty of this fabulous site.”

Avrahami added: “Vistamor is very attractive to buyers in nearby Rockland County, Westchester County and Bergen County (N.J.), where the price point for some active adult communities is more than double what we are offering at Vistamor. In terms of price, location and amenities, Vistamor is an incomparable value for active adult living.”

Features

Vistamor’s 2- 3- and 4-bedroom, one- and two-story homes feature open floor plans with oversized windows for plenty of natural light, 11-foot or two-story ceilings in all the main living areas and dramatic open staircases and island kitchens that transition to family living and entertaining spaces, project spokesmen said.

All homes have first-floor master suites which feature

tray ceilings, walk-in closets, and master baths with soaking tubs, separate showers and dual vanities.

The homes are spaciouly designed with duplex Cottages ranging from 1,367 to 1,751 square feet; duplex Classics from 1,654 to 2,076 square feet and single family Country Homes from 1,832 to 2,420 square feet. The Cottages have 1-car garages and the Classics and Country Homes have two-car garages. All homes have basements and many have walk-out basements, project officials said.

Located minutes from exit 5 of I-84, Vistamor is a short drive from the historic Orange County Village of Montgomery, which is renowned for its charming shops and fine restaurants. Convenience stores and a shopping center with a first-class supermarket is actually in walking distance of the site.

Also close by is Stewart Airport, which offers daily flights to Florida on Delta and Jet Blue airlines. Now owned and operated by the Port Authority of New York and New Jersey, Stewart Airport is poised to become the focus of major economic development in the Hudson Valley, project spokesmen said.

Residents of Vistamor will be able to enjoy an abundance of activities and attractions close by in the Hudson Valley, including the Storm King Arts Center, the U.S. Military Academy at West Point and the Hudson River waterfront in Newburgh. Shopping at the world-renowned Woodbury Common is only 25 minutes away. The Galleria at Crystal

Run shopping mall in Middletown is about a 15-minute drive.

Project officials added that there are a host of outdoor activities ranging from golf, to fishing and camping locally and in the nearby Catskill Mountains.

Vistamor is currently building a priority interest list with site work under way in anticipation of opening sales in the

near future, spokesmen said.

“The ‘buzz’ about Vistamor has been phenomenal. We already have over 400 interested potential prospects, many from communities outside of Orange County. We’re also attracting people in Florida and the Carolinas – ‘boomerang snowbirds’ – who left this area to retire and now wish to return home,” Avrahami said.

## Simone Announces New Rochelle Transaction

NEW ROCHELLE—Simone Development Companies recently announced that Ashley Furniture has signed a lease for approximately 30,000 square feet at 80 Nardozzi Place in New Rochelle.

Ashley Furniture was scheduled to open an Ashley Furniture Homestore in September at the 44,000-square-foot building, which was formerly a Linens ‘N Things store. The New Rochelle store will be Ashley Furniture’s 15th store in New York state and its first in Westchester County, officials said.

Ashley is the largest furniture manufacturer in North America, spokesmen added.

“We are very pleased to announce this major retail lease to Ashley Furniture, which is a leading manufacturer and retailer of high quality furniture. Their move to New Rochelle is a very positive development for the area’s economy,” said Joseph Simone, president of Simone Development Companies.

“We are seeing a lot of activity from prospective tenants for the remaining space in the building. With its excellent visibility from I-95, it is one of the finest retail locations in the re-

gion,” Simone said.

Located directly off Exit 15 of I-95 and across from Home Depot and Costco, 80 Nardozzi Place offers retailers high visibility, as well as close proximity to New York City, facility spokesmen said.

Headquartered in New Rochelle, Simone Development Companies is a full-service real estate investment company specializing in the acquisition and development of office, retail, industrial and residential properties in the tri-state area. The privately held company owns and manages an extensive range of commercial projects, from multi-building office parks to retail and industrial space in Westchester County, Queens, the Bronx, Long Island and Connecticut, spokesmen said.

Spokesmen added that the company’s portfolio of more than 90 real estate properties totals approximately 4 million square feet of development space. Among its many properties is the Hutchinson Metro Center, a 42-acre Class A office and medical park located directly off the Hutchinson River Parkway in the Pelham Bay section of the Bronx.

## Kelleher Earns Appointment at Hutch Management LLC

NEW YORK—Joseph Kelleher, executive director of leasing and property management for the Hutchinson Metro Center in the Bronx, has been named president and chief operating officer of Hutch Management LLC, officials recently announced.

Kelleher will oversee leasing and management of the 42-acre office complex, as well as other commercial properties in the Bronx.

Kelleher, a Katonah resident, joined the Hutchinson Metro Center six years ago at the project’s inception and has spearheaded the successful leasing activity at the office complex. Active in various business organizations, Kelleher currently serves as Chairman of the Bronx Chamber of Commerce, officials said.

Before joining the Hutchinson Metro Center, Kelleher served as Director of Property Management for Winoker Realty Corp. Kelleher began his

real estate career in the Real Estate Division of NYNEX, where he was Property Manager for the Corporate Headquarters Building at 1095 Avenue of Americas in New York.

Since 2004, Kelleher has served on the executive board of The Bronx Chamber of Commerce as President, Treasurer and Vice President. He is a member of The Building Owners and Managers Association (BOMA), as well as the Bronx- Manhattan Association of Realtors.

Located directly off the Hutchinson River Parkway in the Pelham Bay section of the Bronx, the Hutchinson Metro Center is one of the most successful new office complexes in the region, officials said. The first phase of 460,000 square feet, which is fully leased and occupied, features a wide array of first-class amenities, including a full service Metro Café with Cyber Lounge, fitness center, state-of-the-art teleconfer-

encing center, on-site child care facility, attended gatehouse with 24/7 security, landscaped courtyards with gardens and seating/dining areas, ATM, dry cleaners, sundry shop and complimentary shuttle service to a nearby subway system.

Tower One, the second phase of the project, features 260,000 square feet of Class A office and medical space on nine floors with four floors of covered parking. Completed last year, Tower One is already more than 35 percent leased, officials said.

Less than 30 minutes from Manhattan and major airports, the Hutchinson Metro Center has one of the most convenient and central office locations in the tri-state region, officials added.

The Hutchinson Metro Center is a development of Simone Development Companies, a full-service real estate investment company headquartered in New Rochelle.

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To list or find a treasure call (914) 813-5415 or log on to westchestergov.com, go to “Find It A to Z” and click on “Treasure Hunt”.

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# Zurlo Appointed Regional Development Manager of Better Homes & Gardens Rand Realty in Central Valley

CENTRAL VALLEY, N.Y. — Better Homes and Gardens Rand Realty recently announced that Renee Zurlo has joined the brokerage as the Regional Development Manager in the firm's Central Valley office.

In her new role, Zurlo will oversee the recruiting, coaching, business development and training of the sales associates at the Central Valley location. The office is at 2 Corporate Drive.

Zurlo brings 15 years of real estate experience to Better Homes and Gardens Rand Realty. She is one of the founding brokers of Real Estate United in Middletown, N.Y., where she worked prior to joining Better Homes and Gardens Rand. Zurlo is also an Associate Broker, and has previously worked

with Coldwell Banker Currier and Lazier.

Zurlo is a New York State approved Real Estate Instructor and teaches courses at the Orange County Association of Realtors (OCAR), including the Salesperson's Qualifying Course, orientation and continuing education classes.

Zurlo is a member of the National Association of Realtors (NAR), the New York State Association of Realtors (NYSAR), the Greater Hudson Valley Multiple Listing Service (GHVMLS) and OCAR. She is an Executive Board Member of GHVMLS and is on the OCAR Professional Standards Committee, as well as the Education Committee.

"Renee has remarkable training and management experience and unparalleled

knowledge of the Orange County market," said Matt Rand, managing partner of Better Homes and Gardens Rand Realty. "Her know-how will help us to develop and hone our agents' skills as we maintain and strengthen our number one market positioning in the county. We are excited that Renee has joined us. She's a tremendous addition to our management team."

"Better Homes and Gardens Rand Realty has a fantastic reputation and is taking the Hudson Valley by storm,"

said Zurlo. "I knew that being a part of this real estate company would really enable me to focus on my strengths in training and management, so that I could do what I know and love best - teach agents and help them to expand their skills in the industry. Better Homes and Gardens Rand Realty has a very supportive management team and I'm very excited to work with them."

Zurlo resides in Crawford, N.Y., and has been an Orange County resident for more than 25 years.

Better Homes and Gardens Rand Realty, founded in 1984, is the top real estate brokerage in the Greater Hudson Valley, with 22 offices serving Orange, Ulster, Sullivan, Rockland, Westchester, Putnam and Dutchess counties, company officials said.

Based on market share, Rand is first in Orange, first in Rockland and third in Westchester. The company has more than 800 sales associates, spokesmen said.

## Better Homes and Gardens Rand Realty Acquires Claudia Vaccaro Real Estate

WARWICK, N.Y.—Better Homes and Gardens Rand Realty recently announced that it has purchased Claudia Vaccaro Real Estate, an independent firm that has long been one of the leading brokerages in the Warwick area.

The acquisition brings seven sales agents to Better Homes and Gardens Rand Realty's Warwick office at 25 Railroad Avenue and increases its number one market share position to over 20 percent, company officials said.

Claudia M. Vaccaro, Claudia Vaccaro Real Estate's founder, owner and local real estate icon, will join Better Homes and Gardens Rand Realty as an Associate Broker.

"Claudia Vaccaro Real Estate has been a Warwick institution since 1983, and has been known and respected for its expertise, unique approach and exceptional service," said Matt Rand, managing partner of Better Homes and Gardens Rand Realty.

"Claudia is a legend in Warwick-area real estate, and her remarkable knowledge and valuable experience will be tremendous assets to our Warwick office. We are very excited that she has chosen to join us and we look forward to working with her and her team of highly-skilled agents."

Better Homes and Gardens Rand Realty recently acquired three Dutchess County offices of Coldwell Banker Currier and Lazier. The brokerage now has 22 offices and more than 800 sales associates in Westchester, Rockland, Putnam, Orange and Dutchess counties, company officials said.

Based on market share, Rand is first in Rockland, first

in Orange and third in Westchester, officials added.

"Claudia and I have had a close working relationship since we both started our real estate careers," said Cecilia Umhey, branch manager of Better Homes and Gardens Rand Realty's Warwick office. "We have always been in sync with our business practices. I brought my company to Rand Realty in 2007 and my team has thrived. We are delighted to have Claudia and her team join us in the Warwick office and to be able to expand our level of quality service to our clients."

Vaccaro has been a licensed Realtor since 1975. She began her own company in 1983. She is licensed in New York and New Jersey. Vaccaro is among only four percent of all Realtors and Realtor Associates who have been awarded the designation of Certified Residential Specialist (CRS) by the Residential Sales Council. She is a member of the National Association of Realtors (NAR), the New York State Association of Realtors (NYSAR), the Greater Hudson Valley Multiple Listing Service and the Orange County Association of Realtors.

"The Rand's Warwick office and I have always had a good professional relationship and mutual respect for each other," said Vaccaro. "When I decided to sell my business, I wanted to work with a company that had a similar culture and philosophy. Joining forces with Better Homes and Gardens Rand Realty will only enhance our ability to provide the highest level of service to our clients. We are thrilled going forward with this exciting adventure."

## Westchester Bank to Expand With Branch in White Plains

YONKERS—Building on the momentum of a highly successful first year in business, The Westchester Bank recently announced that it has received regulatory approval from the New York State Banking Department and the FDIC to open its second branch in Westchester County.

The new branch will be at 464 Mamaroneck Avenue in downtown White Plains. The 2,200-square-foot branch location, which was formerly a branch for Washington Mutual, is expected to open in late fall, officials said.

"This is an exciting and im-

portant milestone for our bank. Our new White Plains branch will position us for continued growth in what is one of the region's most dynamic cities," said John Tolomer, president and chief executive officer of The Westchester Bank.

"Downtown White Plains is enjoying a remarkable renaissance with new housing, retail stores, restaurants and small businesses. This is an ideal market for our bank, which prides itself on providing businesses and consumers with highly personal and responsive service," he added.

Earlier this year, The West-

chester Bank officially opened its new 8,000-square-foot headquarters and branch at 2001 Central Park Avenue in Yonkers.

A New York State Chartered and FDIC insured commercial bank, The Westchester Bank offers a comprehensive line of banking services to businesses and consumers, including business and personal checking, business lending, commercial mortgages, savings accounts, CDs, money market accounts, Interest On Lawyer Accounts (IOLA), attorney escrow accounts and tenant security accounts, officials said.

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