

**WILLIAM MAKER, JR.**

**EDUCATION:**

LL.M., New York University School of Law, 1982  
J.D., New York University School of Law, 1975  
B.A. in Economics, Queens College of the City University  
of New York, 1972  
Honors: Graduated Magna Cum Laude from Queens College  
Member of Phi Beta Kappa Society  
Member of Omicron Delta Epsilon  
(Honor Society in Economics)

**CAREER:**

Partner, Maker, Fragale & Di Costanzo, LLP  
Rye, New York  
July 1, 2015 to present  
Partner, McMillan, Constabile, Maker & Perone, LLP  
Larchmont, New York  
February 1, 1994 to June 30, 2015  
Partner, Campbell, McMillan, Bosco, Penzel & Maker  
New Rochelle, New York  
June 1, 1981 to January 31, 1994  
Associate and Partner, Fanelli, Moore, Bosco, Penzel  
& McMillan  
New Rochelle, New York  
July 21, 1976 to May 31, 1981  
Law Clerk, Wynn, Blattmachr, Campbell & Milas  
New York City (Counsel to Olin Foundation, Inc.)  
1975-76  
Title Examiner, U.S. Life Title Insurance Company  
New York City, 1973

**AREAS OF  
CONCENTRATION:**

Municipal Law and Land Use  
Tax Certiorari  
Commercial and Real Property Litigation  
Trusts and Estates

**BAR ADMISSIONS:**

State of New York, 1976  
United States District Court for the Southern District of  
New York, 1978  
United States District Court for the Eastern District of  
New York, 1978  
United States Court of Appeals, Second Circuit, 1982  
United States Tax Court, 1982  
United States Supreme Court, 1990

SPECIAL COUNSEL:

Village of Mount Kisco for tax certiorari proceedings (2017-  
 Town of Rye for tax certiorari proceedings (2016-  
 City of Peekskill for tax certiorari proceedings (2016-  
 Town of Greenburgh for a tax certiorari proceeding (2015)  
 Attorney for the Town of Mamaroneck (2001-present)  
 Arbitrator for the Westchester County Supreme Court (1997-  
 present)  
 Counsel to the Town of Harrison in its personal injury litigation  
 (1995-1997)  
 Labor Negotiator for the Town of Harrison (1986-89)  
 Deputy Town Attorney of the Town of Harrison (1984-89)  
 City of New Rochelle (1987-88)  
 Village of Bronxville (1982-87)  
 Town of North Salem (1979-82)

SELECTED  
DECISIONS IN  
WHICH ACTED  
AS COUNSEL:

*Matter of DCH Auto v Town of Mamaroneck* (178 AD3d 823 [2d  
 Dept 2019])  
*Matter of Larchmont Pancake House v Bd. of Assessors* (33 NY3d  
 228 [2019] *affg* 153 AD3d 521 [2d Dept 2017])  
*Megalli v Yeager* (167 AD3d 860 [2d Dept 2018])  
*Matter of Town of Mamaroneck* (52 Misc3d 1222(A), 2016 NY  
 LEXIS 3145 [Sup Ct., Westchester County 2016]) --- the  
 foreclosure of tax liens  
*Matter of Hampshire Recreation, LLC v Bd of Assessors* (137 AD3d  
 1029 [2d Dept 2016])  
*Matter of Poneman and Shofman v Planning Bd.* (Sup Ct,  
 Westchester County, March 6, 2015, Neary, J. index No.:  
 4110/2013)  
*Matter of Inglese v Shah* (121 AD3d 688 [2d Dept 2014])  
*Lucas v. J&W Construction Management, Inc.* (97 AD3d 642 [2d  
 Dept 2012])  
*Shilkoff v. Longhitano* 94 AD3d 974 [2d Dept 2012])  
*2 North Street Corp. v. Getty Saugerties Corp.* (68 AD3d 1392 [3d  
 Dept 2009], *lv. den.*, 14 NY3d 706 [2010])  
*Riverkeeper, Inc. v. Planning Board* (9 NY3d 219 [2007])  
*Walling v. Przybylo* (7 NY3d 228 [2006])  
*Tanney v. Greaux* (78 NY2d 1117 [1991])  
*Mehta v. Surlles* (905 F2d 595 [2d Cir. 1990])  
*McKee v. Transco* (874 F2d 83 [2d Cir. 1989])  
*Koeppe v. Carlandia Corp.* (21 AD3d 884 [2d Dept 2005])

*Farina v. Zoning Board* (294 AD2d 499 [2d Dept 2002])  
*City & Suburban Federal Savings Bank v. Frank* (243 AD2d 670 [2d Dept 1997])  
*Mandia v. King Lumber & Plywood Co.* (179 AD2d 150 [2d Dept 1992])  
*Schulman Master Ltd. Partnership I v. Town/Village of Harrison*, (162 AD2d 674 [2d Dept 1990])  
*Alamit Properties v. Planning Board* (159 AD2d 703 [2d Dept 1990])  
*Edgemont Neighborhood Community Ass'n v. Surles* (155 AD2d 540 [2d Dept 1989])  
*Velez v. Board of Appeals* (147 AD2d 648 [2d Dept 1989])  
*Mary Immaculate School of Eagle Park v. Wilson* (73 AD2d 969 [2d Dept 1980])  
*Taylor v. Angarano* (652 F Supp 827 [SDNY 1986])  
*Valcon America Corp. v. CTI Abstract of Westchester* (28 Misc 3d 1228A [Sup. Ct. Orange County 2010])

BAR ASSOCIATIONS:

Chairman of the Grievance Committee of Westchester County Bar Association (1999-2000)  
 Vice President of Mamaroneck-Harrison-Larchmont Bar Association (1998-2003)  
 Treasurer of Mamaroneck -Harrison-Larchmont Bar Association (1990-1998)  
 President of New Rochelle Bar Association (1988-1990)  
 Director of New Rochelle Bar Association (1991-2001)  
 Vice President of New Rochelle Bar Association (1985-87)  
 Secretary of New Rochelle Bar Association (1983-84)  
 Treasurer of New Rochelle Bar Association (1982-83)  
 Member of New Rochelle, Westchester County, New York State and Mamaroneck-Harrison-Larchmont Bar Associations (1976-present)

HONORARY POSITIONS:

Fellow of the New York Bar Foundation (2003-present)

NON-LEGAL ASSOCIATIONS:

Chairperson of the South East Consortium for Special Services, Inc. (2000-2002); Vice Chairperson (1999-2000); Secretary (2000); Director (1995-2006)  
 Member of the Advisory Board of the Chicago Title Insurance Company (1996-present)  
 Westchester County Coordinator for the annual New York State Bar Association High School Mock Trial Tournament

(1994-2002)

President of Harrison Youth Soccer League (1992-1997)

Treasurer of the Eugene J. Feeley Harrison High School  
Scholarship Fund (1988-present)

Member of the Committee on Accessory Housing in the Town  
of Harrison (1982)

TEACHING POSITIONS:

Adjunct Assistant Professor of Finance, Business, Economics  
and Legal Studies in the Hagan School of Business

Iona College teaching law related courses (2000)

Lecturer for the Westchester County Bar Association — Real  
Property Section on Current Issues in Zoning and the Regulation of  
Cellular Telephone Towers (2002)

Lecturer on Subdivision and Site Plan Review for the  
Westchester Municipal Planning Federation, the Westchester  
County Department of Planning and the Michaelian Municipal  
Law Resource Center of Pace University (1995)

Lecturer in Real Property Law and Subdivisions for the Real  
Estate Training Center (1987-88)

Lecturer in Real Property Law; the Functions of our Legal  
System and Law Office Management for the Institute for  
Legal Assistant and Paralegal Training, Inc. (1980-81)

Teacher in the Person-Wolinsky, C.P.A. Review Course  
Program (1979-80)

PUBLICATIONS:

**What Do Grapes and Federal Lawsuits Have in Common? Both  
Must Be Ripe**, 74 Albany Law Review 819 (2011)

**Of Keystrokes and Ballpoints — Real Estate, the Statute of  
Frauds and the Electronic Age** New York State Bar Association  
Journal, July/August 2008 issue, Vol. 80 No. 6

**Has the Court of Appeals Defined What is Meant by a “Claim of  
Right” in Adverse Possession Cases?** New York State Bar  
Association Journal, March/April 2007 issue, Vol. 79 No. 3

**Where Have All the Flowers Gone?** (An analysis of tenancy by the entirety) published in the Spring 2003 issue of the Westchester Bar Journal

**It May be Your Fault if You Don't Let Your Client Default** (The Banking Law presumption of joint tenancy of bank accounts in the context of supplementary proceedings) published in the Fall/Winter 2003 issue of the Westchester Bar Journal

**The Tie Goes to the Courthouse** (An article about voting procedures for municipal boards and the workings of the New York Construction Law) published in the Fall 2002 issue of the Westchester Bar Journal

**Why Romeo and Juliet Could Not Have Been Written in New York** (A discussion of the New York Condominium Act) published in the Spring 2002 issue of the Westchester Bar Journal

**Ya Gotta Believe!** *The forgotten element of adverse possession* published in the Fall 2001 issue of the Westchester Bar Journal

Contributing author of articles on the law to Focus, a periodical published by the Chicago Title Insurance Company, and to CPADirectory.com

NOTE:

**What Do Grapes and Federal Lawsuits Have in Common? Both Must Be Ripe** was cited by the petitioners in three separate cases in which those petitioners sought certiorari to the United States Supreme Court. It also was cited in the Fall 2014 edition of the Urban Lawyer (46 Urb. Law 783), in a 2013 law review article published by the University of South Carolina Law Review (65 S. C. L. Rev.) and is a reference in California Affirmative Defenses, 2d edition

**Of Keystrokes and Ballpoints — Real Estate, the Statute of Frauds and the Electronic Age** was cited by the Appellate Division, First Judicial Department in *Naldi v Grunberg*, 80 AD3d 1 (1st Dept 2010).

**Has the Court of Appeals Defined What is Meant by a "Claim of Right" in Adverse Possession Cases?** was cited in a 2010 law

review article in the Cardozo Law Review (31 Cardozo L. Rev.  
2491)

LAST REVISED: March 24, 2020