



December 2016

www.nrbar.org

PRESIDENT'S MESSAGE



My Dear Colleagues and Friends:

Welcome to the New Year. With the New Year and your resolutions for the New Year, please resolve to promptly pay your 2017 New Rochelle Bar Association ("NRBA") dues. The dues for 2017 are still only \$100. Please also consider using the services of our many sponsors. Their contributions help the NRBA to provide quality programs at an affordable cost.

I hope that everyone enjoyed their Holiday celebrations. The NRBA Holiday Party at the Fountainhead was an evening enjoyed by approximately 80 NRBA members and guests. The NRBA thanks Michele Tombini for her tireless efforts planning the event. Michele made sure that the party would be a fun night. Lori Corini and Julie Zgoda manned the registration table sacrificing their participation at the cocktail party. We were entertained with music provided by the talented John Vilasi. Members of the judiciary were well represented at the party. The party was co-sponsored

by Ralph J. Berardi, Jr. and Pepe/Berard Capital, L.L.C. Sterling National Bank and A.J. Forgione were the other co-sponsors.

The annual Surrogate's Dinner will be held on January 12, 2017 at Juliano's Caterers at 700 Main Street, New Rochelle. Westchester County Surrogate Judge, Brandon Sall, and Bronx County Surrogate Judge, Nelida Malave-Gonzalez will be the guest speakers at the dinner.

The annual Court of Appeals dinner will be held at the Fountainhead on April 25, 2017. The final event of the 2016/2017 calendar will be the June picnic at Five Islands Park.

Since the last NRBA Newsletter the NRBA CLE programs have included two excellent programs. On October 20, 2016, Andrew E. Roth, Esq. presented *Qualified Retirement Plan Design for Law Firms*. Mr. Roth is a partner at Danziger & Markhoff LLP in White Plains. The two credit CLE was held at the Hampshire Country Club. It was generously sponsored by Brett Forman and First Nationwide Title Agency, LLC. The CLE program was organized by NRBA member James Alperin and Morgan Stanley Wealth Management. Sixty NRBA members received CLE credits for attending the program.

NRBA vice president Ron Zezima organized an excellent CLE program, *The Art of Appellate Persuasion*. The program was presented by the Hon. Judge Robert S. Smith. Judge Smith spoke about the nuances of appellate practice and persuasive appellate arguments. The program was held on November 15, 2016 at the New Rochelle Public

Library. Judge Smith is a former Associate Judge of the New York Court of Appeals and he is now practicing with Friedman, Kaplan, Seiler & Adelman LLP as the head of the firm's appellate practice. Appellate Innovations, a new NRBA supporter, sponsored this CLE. Appellate Innovations was represented at the CLE by its managing member Eric Larke and account manager Helen Mezger. The CLE was well attended. Nine students from Monroe College attended the CLE as the guests of their professor, Milton Kreppel. Additionally 68 attorneys received credits for attending the CLE.

On January 18, 2017 the Hon. Carl Finger will continue with Part Two of his Landlord & Tenant Law CLE. Part One of the CLE was presented last January and Mr. Finger still had not reached the second half of his planned presentation when the clock struck 8:00 P.M. The CLE will be held in the Sterling National Bank's conference room located at 21 Scarsdale Road in Yonkers between the Tuckahoe train station and the Bronx River Parkway. Sterling National Bank is the venue sponsor for the CLE. Stewart Title Insurance Company and Holly Hasbrouck, the Stewart Title sales executive who is working with the NRBA, will be providing the lite dinner that will be served at the CLE. The NRBA is excited to have Stewart Title Insurance Company as a supporter sponsoring its first NRBA event.

David Lacher, a member of the New Rochelle Board of Education, will speak on February 15, 2017, at the New Rochelle Public Library about the landmark New Rochelle defacto segregation case, *Taylor v. Board of Education of the City of New Rochelle*. This two credit CLE will explore the history of this landmark case.

The CLE programs for the remainder of the 2016/2017 year will include Richard Grayson's annual Ethics CLE in March. In April, Dale Robyn Siegel of Circle Mortgage Group will discuss current legal issues regarding the real estate and mortgages. Anthony Enea will return as a CLE speaker in May with a program regarding "*Representing Clients with Diminished Capacity*." Mr. Enea's program will be for two CLE credits, one of which will be an ethics credit.

The June CLE program is still being planned. The subject matter may be the aspects of the practice of law regarding professional sports leagues. The proposed speaker is the Hon. Marios Christos Sfantos. Mr. Sfantos is an administrative law judge and an executive consultant to the soccer industry.

The NRBA with the New Rochelle Public Library Foundation are collaborating to present a series of programs for the public at the Library. Ron Zezima and Chris Selin are organizing these public service legal programs. On Monday, March 27, 2017 at 5:30 P.M. City Judges Susan Kettner and Anthony Carbone will discuss the New Rochelle Small Claims Court, Landlord-Tenant Court and Municipal Violation Hearings. The panel discussion will be moderated by either Mr. Zezima or Ms. Selin.

The NRBA has continued its support of local organizations. The NRBA had an ad in the program for the New Rochelle Chamber of Commerce's 14th Annual Award Dinner for Women of Excellence. Another ad was placed in the fundraising dinner journal supporting New Rochelle Meals on Wheels. After the November 15th CLE, the NRBA contributed a SUV trunk full of food donations to the HOPE Services at St. Gabriel's Church. Thanks to Lori Corini, the NRBA's

Secretary, the NRBA received a \$125 donation from the Huguenot Lodge #46 F.A.M. The donation was then given to HOPE Services for their Thanksgiving food drive. The food leftover after the Holiday Party and many of the continuing legal education programs has been contributed to the men's shelter in White Plains.

On November 16, 2016, Warren Agatston represented the NRBA at the annual New York State Continuing Legal Education Board meeting. Mr. Agatston attended a lecture by United States District Court Judge Mark W. Bennett, Senior Judge, Northern District of Iowa. The topic was "The Science of Implicit Bias and Its Impact on the Legal Profession." After the lunch, Mr. Agatston represented the NRBA at the afternoon panel discussion, "To Accredited or Not to Accredited? Reviewing Unconventional Program Content."

I represented the NRBA at two Board of Directors' meetings of the Westchester County Bar Association. A proposal by the NYS CLE Board was discussed at the December meeting. The proposal would require attorneys to have one CLE credit devoted to diversity training in each year. I spoke against it being made a mandatory requirement. I attended the Westchester County Bar Association Foundation Dinner. NRBA member Joseph A. Ruhl, Regional President for Westchester County of the Orange Bank & Trust Company, was honored at the Foundation's dinner on November 16, 2016. Mike Faust, Julie Kattan, Milton Kreppel and I attended the Westchester County Bar Association Holiday Party. Earlier on October 24, 2016, I attended a Yonkers Lawyers Association dinner honoring NYSBA President Claire Gutekunst.

On December 1, 2016, I also attended an interesting

meeting of the NYSBA Committee of Bar Leaders at the Federal Courthouse at Foley Square. The meeting included the Claire Gutekunst, the NYSBA President, and the Chief Judge of the United States Court of Appeals for the Second Circuit, Robert A. Katzmann. There was a panel discussion regarding pro bono appellate work for attorneys and the Court's pro bono panel.

During the past four months, the NRBA has welcomed the following new members: Assistant District Attorney Frank Luis, Paul J. Noto, William Apuzzo and Karen Coape-Arnold.

The NRBA could not function without the contributions of its officers; Vice-Presidents, Michele Tombini and Ronald Zezima, Secretary Lori Corini, Treasurer Julie Zgoda, and Past President Paula Johnson Kelly. The members of the Board of Directors of the NRBA; Warren Agatston, Frank DiMarco, Mike Faust, John A. Giacobbe, Mark Griffin, David Lacher, Damon Maher, Jennifer Pasquantonio and Richard Weiss have each contributed to the success of the NRBA's programs.

We look forward to your participation and to seeing each of you at many of the planned activities for this year.

Yours,

Jeffrey Levin





NRBA LAWYER IN THE CLASSROOM UPDATE

By Ronald V. Zezima, Esq.

In April 2017, NRBA member Joyce Furfero, a professor at St. John's University, and Corey Andrews, a 5th grade teacher at Ward Elementary School who has generously given of his free time over the past four years in helping to design our curriculum, will conduct a 2 credit CLE training session for our volunteers. The volunteer lawyers will review case materials used in the course to explain basic concepts of constitutional law and will learn how to appropriately convey the subject matter to fifth graders. The classroom presentations will take place on four consecutive weeks in the month of May 2017. Last year, our program was enthusiastically received by over 800 students, each of whom received a Certificate of Completion signed by Dr. Brian Osborne, the Superintendent of Schools, and by our Past President, Paula Johnson Kelly.

This project is approved for Pro Bono credit by the Office of Court Administration. We are seeking volunteers, so if you can spare an afternoon once a week and are looking for an interesting Pro Bono project, contact Ronald Zezima at rvzesq@aol.com.



MY BROTHER'S KEEPER NEW ROCHELLE VISITS THE WHITE HOUSE

By Hon. Jared Rice



In September 2016, My Brother's Keeper and the Hon. Jared Rice co-sponsored the NRBA CLE, "On the Road to Raising the Age, Tools to Support Young Offenders." Mr. Rice has since attended the final My Brother's Keeper Summit at the White House and the NRBA Newsletter asked that he write the following note describing the event. Councilman Rice is a member of the New Rochelle City Council representing District 3. He is the Co-Chair of My Brother's Keeper New Rochelle. He practices law in New Rochelle as a partner at Rice & Rice. - The NRBA Newsletter Editor.

As co-chair of My Brother's Keeper New Rochelle (MBK New Ro), along with my fellow co-chair, Principal Reggie Richardson, I had the unique privilege of attending the final My Brother's Keeper National Summit at the White House. My Brother's Keeper was launched by President Obama in 2014, and shortly thereafter in 2015, New Rochelle accepted the "My Brother's Keeper Community Challenge".

At its core, My Brother's Keeper is a "cradle to career" initiative which seeks to ensure that young people can reach their potential in life, particularly boys and young men of color. One of the goals of My Brother's Keeper is to see that all youngsters are provided second chances in life.

To achieve that goal, MBK New Ro utilizes a wide array of partner support. I am proud to say that one of our partners is the New Rochelle Bar Association. This past September, the New Rochelle Bar Association, along with the Westchester Children's Association and MBK New Ro, sponsored a CLE regarding the age of criminality. This topic, commonly referred to in New York as "Raise the Age", has seen recent attention now that New York and North Carolina are the only two remaining states that prosecute sixteen and seventeen year-olds as adults.

At the White House Summit, among regional strategies discussed that can provide second chances for young people, Raise the Age discussions were front and center. Accordingly, our MBK New Ro call to action has been to lobby our state government officials to raise the age of criminality so that kids will be treated as kids, not as adults. Members of the NRBA are welcome to join us in support of the goals of My Brother's Keeper New Rochelle.



**COLLABORATION BETWEEN THE NRBA
AND THE NEW ROCHELLE PUBLIC
LIBRARY FOUNDATION UPDATE
By Ronald V. Zezima, Esq.**

The NRBA and the New Rochelle Public Library Foundation ("NRPLF") are collaborating on a series

of "Law in the Library" workshops offered to the public for free at the New Rochelle Public Library. The NRBA provides panels of speakers on various topics of general interest.

The first presentation for 2017 will take place on Monday, March 27, 2017 at 5:30 P.M. The subject matter is the New Rochelle City Court. The topics covered will include Small Claims Court, Landlord Tenant Court and Municipal Violations hearings.

The second presentation will take place on Saturday, May 20th at 11:00 A.M., and the subject matter will be "Legal Aspects of Buying and Selling Real Estate."

The third presentation will be held on Monday, September 25th at 5:30 P.M., and the topic will be "Separation, Divorce and Custody Issues." We look forward to future collaborations with the NRPLF, and invite any members interested in conducting a workshop for the public at the Library to contact NRBA Vice President Ronald Zezima at: rvzesq@aol.com.



SMALL CLAIMS COURT

By Mike Faust, Esq.

The members of the NRBA have always been active in service to our community. Volunteering as an Arbitrator for the New Rochelle Small Claims Court is just one great way to serve the court system and gain valuable practical experience in the reality of litigation.

The New Rochelle Small Claims Court handles claims up to \$5,000 including, but not limited to, commercial disputes, landlord—tenant matters, housing violations, property damage matters, and breach of contract matters just to name a few. The New Rochelle Small Claims Court meets either once or twice a month on Wednesdays starting at 2:00 P.M. until approximately 4:30 P.M.

As an aid to the Court, and in an effort to expedite the claims filed in the Small Claims Court, members of the New Rochelle Bar Association, with the consent of the individual litigants, arbitrate many of those cases. These attorneys, who volunteer their time, listen to, settle and/or determine these individual cases. While helping the Court to keep an efficient calendar, Arbitrators get the invaluable experience learning how a case appears from the perspective of a Judge.

An attorney can volunteer his/her time if they have been admitted to the Bar for five (5) or more years. The attorney can hear and/or settle one, two or more cases in a single afternoon.

If you want to volunteer your time as an Arbitrator to help in Small Claims Court on any one, or all, of the below dates at 2:00 P.M. please contact "Mike" Faust at: mfaust@mfaustlaw.com.

Small Claims Court Dates

January 18, 2017	February 8, 2017
April 19, 2017	May 24, 2017
July 19, 2017	August 23, 2017
October 18, 2017	November 15, 2017

Volunteering as an Arbitrator is really a win— win opportunity for not only the Court but for members of the NRBA!



NRBA SURROGATES' DINNER

The NRBA Surrogates' Dinner will be held on January 12, 2017 at Juliano's Caterer's, 700 Main Street, New Rochelle, NY from 6 P.M. to 9 P.M. Tickets may be purchased at: <http://www.nrbar.org/event/nrba-surrogates-dinner/>.



CALENDAR OF UPCOMING CLEs

The NRBA will be offering the following CLE programs:

1. *Landlord & Tenant Part II*, January 18, 2017, to be presented by Carl Finger of Finger and

Finger at the Sterling National Bank, 21 Scarsdale Road, Yonkers, NY

2. *Taylor v. Board of Education New Rochelle*, February 16, 2017 by David Lacher, Esq., at the New Rochelle Public Library.

Expect to receive advance notices with particulars by e-mail of these and future CLEs. Information will also be posted at www.nrbar.org.

UPCOMING CLES:

For information on and reservations for our CLEs, or suggestions for future CLE topics, please contact **Jeffrey L. Levin, Esq.** at jeffrey.levin.law@gmail.com



INDUCTION OF HON. JANET MALONE

On January 19, 2017, New Rochelle City Court Judge Janet Malone will be inducted to the NYS Supreme Court, Ninth Judicial District, at the Westchester County Courthouse. We congratulate Judge Malone.



Hon. Janet C. Malone



NEW WESTCHESTER COUNTY DISTRICT ATTORNEY

The NRBA would like to congratulate Hon. Anthony Scarpino on being elected Westchester County District Attorney.



A REMINDER ABOUT OUR SPONSORS

The following individuals and institutions have sponsored our CLEs and events in the past. We thank them for their support and ask our members to seriously consider engaging them for their services.

David Baron and **Dan Bokol** of **TitleVest**, 40 Wall Street, New York, NY 10005.

TD Bank, 107 Chatsworth Avenue, Larchmont, NY 10538.

Brett Forman of **First Nationwide Title** (an **AmTrust Financial Company**), 220 East 42nd Street, Suite 3105, New York, NY 10017.

Anthony J. Forgione of **Sterling National Bank**, 21 Scarsdale Road, Yonkers, NY 10707.

Joseph A. Ruhl, Esq. of **Orange Bank & Trust**, 42 Waller Avenue, White Plains, NY 10601.

Kommer Bave & Ollman LLP, 145 Huguenot Street, Suite 402, New Rochelle, NY 10801.

Ralph J. Berardi, Jr. of Pepe/Berard Capital, LLC and Associated Mortgage Bankers, 211 South Ridge Street, Second Floor, Rye Brook, New York 10573.

Sam Pierce, New Rochelle City Marshall, 475 North Avenue, New Rochelle, NY 10801.

Michele Silverman Bedell, of Silversons Realty LLC, 6 Palmer Avenue, Scarsdale, NY 10583.

Michael Lisk of Record and Return Title Agency, Inc., 7 Dempsey Place, Eastchester, NY 10709.

Keith D. Munroe of Morgan Stanley, 1 Blue Hill Plaza, Suite 100, Pearl River, NY 10965

Nancy A. Scovotti of The Great American Title Agency Inc., 170 Hamilton Avenue, Suite 207 White Plains, NY 10601

Helen Mezger of Appellate Innovations, 3 Barker Avenue, 2nd Floor, White Plains, NY 10601

Holly Hasbrouck of Stewart Title, 707 Westchester Ave., Suite 411, White Plains, NY 10604

James Alperin, Financial Advisor at **Morgan Stanley Wealth Management**, One Fawcett Place, 3rd Floor, Greenwich, CT 06830

Roseanne Picone of Benchmark Title Agency, LLC, 222 Bloomingdale Road, Suite 102 White Plains, NY 10605



MEMBERSHIP APPLICATIONS AND RENEWALS UPDATE

The NRBA has transitioned to a new membership software system, where membership is from January 1st through December 31st of the calendar year. Members who renew, and prospective members seeking to join the NRBA, should do so through the website. All renewing members must update their contact information, practice areas and other information online at <http://www.nrbar.org/>. When you load the website, enter the email address at which you currently receive NRBA notices as your login-in ID and click on the "Forgot Password" button to begin the registration process. Members up for renewal should receive an email, prompting them to do so. If you do not receive such an email, please contact Hon. Jeffrey Levin at: jeffrey.levin.law@gmail.com.

If paying by physical check, please make it out to "New Rochelle Bar Association" and mail it to The New Rochelle Bar Association, P.O. Box 1863, New Rochelle, NY 10802. Even if you pay by check, you should log in and update your contact information to ensure that this information is current. If you need help with this, please contact the NRBA and we will assist you.



ANNUAL HOLIDAY GALA

On December 15, 2016, the NRBA held its annual Holiday Gala at the Fountain Head. We would like

to thank Ralph J. Berardi, Jr. of Pepe/Berard Capital, LLC and Associated Mortgage Bankers, and Anthony J. Forgione of Sterling National Bank, for generously sponsoring the Gala.

Notable guests included: Hon. Colleen Duffy (Appellate Division, Second Department); Hon. Susan Capeci (Acting Supreme Court); Hon. Paul Marx (Supreme Court); Hon. Terry Ruderman (Supreme Court); Hon. Sam Walker (Supreme Court); Hon. Charles Wood (Supreme Court); Hon. David Zuckerman (Acting Justice Supreme Court); Hon. Michelle Schauer (Westchester Family Court); Hon. Walter Rivera (Greenburgh Town Court); Hon. Anthony Carbone (New Rochelle City Court); Hon. Susan Kettner (New Rochelle City Court); Hon. Robert Ollman (New Rochelle City Court – retired); Hon. Carole Levy (Support Magistrate, Bronx Family Court-retired); New York State Senator George Latimer; Westchester County Clerk Timothy Idoni; Westchester Deputy County Clerk Eileen Songer-McCarthy; New Rochelle City Councilmember Barry Fertel; New Rochelle Public Library Foundation President Chris Selin; Marianne Sussman (Former New Rochelle City Councilmember); and Greg Varian (New Rochelle Public Library Trustee).



NRBA Treasurer Julie Zgoda with NRBA Secretary Lori Corini, greeting guests at the Holiday Gala.



NRBA Director Frank DiMarco, NRBA President Jeffrey Levin and NY State Senator George Latimer.



Kimberly Griffith, Michael Golio and Teresa Stilo.



Ralph J. Berardi, Jr., NRBA Secretary Lori Corini, NRBA Treasurer Julie Zgoda, and Hon. Robert Ollman.



Carmelina DiMarco, Nancy Scovotti and Hon. Walter Rivera.



New Rochelle City Councilmember Barry Fertel, NRBA member Edward Loughman III, and Carolyn Massi.



NRBA Immediate Past President Paula Johnson Kelly, Paul Korngold, Carmelina DiMarco and NRBA Director Frank DiMarco.



Ralph J. Berardi, Jr. and NRBA Former President Julie Kattan.



Judge Anthony Carbone, Lisa Ngai, Holly Hasbrouck, and an honored guest.



Hon. Charles Wood, Hon. Michelle Schauer, Hon. Terry Jane Ruderman, and NRBA President Jeffrey Levin.

[Other photos are available on the NRBA website.]



MEMBER NEWS AND ANNOUNCEMENTS

We send our condolences to NRBA member **Hon. Gail Rice**, whose mother recently passed away.

We congratulate NRBA member and former President **Laurie Korngold** and husband Paul on the birth of their grandson Grant Henry Korngold.

WELCOME NEW MEMBERS:

Karen Coape-Arnold, Esq.



NRBA UPCOMING EVENTS SAVE THE DATES

The Court of Appeals Dinner is scheduled for **April 25, 2017** at The Fountainhead, 55 Quaker Ridge Road, New Rochelle. Details will be sent via email and posted on the website.



MEMBERSHIP DUES & PAYMENT METHODS REMINDER

Annual NRBA Membership runs from the calendar year from January 1st through December 31st. Dues must be paid before a member can attend a CLE. Membership dues and event ticket purchases may now be done on the NRBA's website (<http://www.nrbar.org>).



OUR WEBSITE: www.nrbar.org

With our website members can obtain information concerning our Bar, its activities, and general legal and community news. We welcome feedback.

This Newsletter can be downloaded from our website. Thanks for helping keep NRBA green.

UPCOMING EVENTS:

For an up-to-date listing of scheduled events, including CLEs and dinner meetings, kindly view existing event postings on our website: www.nrbar.org.

For reservations for any of our upcoming dinners or events please contact Treasurer **Julie Zgoda, Esq.**, New Rochelle Bar Association, P.O. Box 1863, New Rochelle, NY 10802.

Getting Published

We welcome your submissions! All submissions should be sent to Mark Griffin, Editor, at mark.griffin@gmail.com. Please mark the subject as NRBA news. Articles between 500 to 1200 words should be sent in Word format. Photographs should be sent as jpeg attachments. Authors should include a short biographical statement with their articles, which must be spell checked, cite checked and in blue book form. Opinions expressed in any article printed in the NRBA newsletter are solely those of the author(s) and are not positions taken by the NRBA. Materials submitted allow NRBA limited copyright and full permission to reprint the article in the NRBA newsletter without additional consent.