



Fall, November 2020

[www.nrbar.org](http://www.nrbar.org)

**Message from the Editor**



Dear fellow members: I hope everyone continues to be well and had a pleasant Thanksgiving break. Please be reminded that the NRBA will continue to offer monthly CLEs via videoconference technology. For more information on upcoming CLEs please see our Upcoming Events section.

Once again we ask that you please remember to support our Bar Association’s generous sponsors during these unprecedented times; a list of all sponsors can be found on the next page.

Lastly, please note that the Board of Directors has decided that part of each member’s Association dues for the 2021 year will be contributed to our scholarship fund.

Please stay well and safe.

Sincerely,

*Artem Djukic*



**New York Power of Attorney Reform Bill Awaits Final Action by the Governor**

By Perry M. Ochacher

On February 14, 2019 Senate and Assembly Judiciary Committee Chairs Brad Hoylman (D-Manhattan) and Helene Weinstein (D-Brooklyn) introduced S.3923/A.5630, a bill to reform the statutory short form and other powers of attorney for purposes of financial and estate planning. The bill was introduced because of widespread concern that: the current power of attorney form is too complex and prone to improper execution; the current statutory exact wording requirement is unduly burdensome and becomes a trap for the unwary; and, financial institutions or others who unreasonably refuse to accept a valid power of attorney are not presently subject to any damages.

To address these concerns, S.3923/A.5630: 1) simplifies the current power of attorney form; 2) allows for substantially conforming language; 3) provides safe-harbor provisions for those who, in good faith, accept an acknowledged power of attorney without actual knowledge that the signature is not genuine; and 4) allows damages to be recovered against those who unreasonably refuse to accept a valid power of attorney. The bill passed both houses of the legislature on July 21, 2020 (despite COVID-19, the New York State Legislature is convening and conducting its legislative proceedings virtually during the pandemic). Governor Cuomo has until December 31, 2020 to decide whether he will veto the bill or sign it into law.

You can read the bill by going to this link:

[https://assembly.state.ny.us/leg/?default\\_fld=&leg\\_video=&bn=S03923&term=&Summary=Y&Text=Y](https://assembly.state.ny.us/leg/?default_fld=&leg_video=&bn=S03923&term=&Summary=Y&Text=Y)

The New Rochelle Bar Association supports this important legislation and is urging Governor

Cuomo to sign the bill into law. If you agree, indicating your individual support for the bill as a practicing attorney can help show Governor Cuomo that there is widespread enthusiasm for the measure, which could increase the likelihood of its adoption.

If you would like to express your support for the pending POA reform bill, you can send an email to the Governor at [legislative.secretary@exec.ny.gov](mailto:legislative.secretary@exec.ny.gov). If you send such an email please remember to reference the bill numbers (S.3923/A.5630), clearly state your support, and ideally provide a few examples why, as a practicing attorney, you believe the Governor should sign the bill into law.



## 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.

### Appellate Printers

**Helen Mezger of Appellate Innovations**,  
3 Barker Avenue, 2nd Floor, White Plains, NY  
10601. Office: 914.948.2240 x 101.

### Banks

**Anthony J. Forgione of Sterling National Bank**,  
21 Scarsdale Road, Yonkers, NY 10707. Cell: (914)  
922-9429.

**Joseph A. Ruhl, Esq. of Orange Bank & Trust**,  
42 Waller Avenue, White Plains, NY 10601. Cell:  
(914) 260-3475.

**Lola Gazivoda, of M&T Bank Business Banking**,

120 White Plains Road, Suite 300, Tarrytown, NY  
10591. Phone: 914-366-8591 Cell: 914-268-7975  
Fax: 914-366-8501 & Email: [lgazivoda@mtb.com](mailto:lgazivoda@mtb.com).

**Michael Padilla, of M&T Bank**, 300 Mamaroneck  
Avenue, Mamaroneck, New York 10543.  
Tel: 914-698-6400 & Email: [mpadilla@mtb.com](mailto:mpadilla@mtb.com).

**Bridgette Brown-Williams of OZK Bank**, One  
Rockefeller Plaza, Suite 475, New York, NY  
10020. Tel: 212-218-8364  
Email: [bridget.brown-williams@ozk.com](mailto:bridget.brown-williams@ozk.com)

### Mortgage Brokers

**Ralph J. Berardi, Jr. of Pepe/Berard Capital,  
LLC and Quantum Mortgage Corp.**,  
211 South Ridge Street, Second Floor,  
Rye Brook, New York 10573.  
Cell: (914) 329-6375.

### Real Estate Brokers

**Michele Silverman Bedell, of Silversons Realty  
LLC**, 6 Palmer Avenue, Scarsdale, NY 10583.  
Cell: (914) 906-4376.

**Miriam "Lori" Morrow of Keller Williams  
Realty**, 120 Bloomingdale Road, White Plains, NY  
10804. Cell: (914) 260-5349.  
Email: [lorimorrow@kw.com](mailto:lorimorrow@kw.com).

**Willa Beth Stending of Compass Real Estate**, 144  
Larchmont Avenue, Larchmont, New York 10538.  
Cell: (914) 391-2029. [Will.Stending@compass.com](mailto:Will.Stending@compass.com)

### Title Insurance Companies

**Alison Orlando and Maria Murphy of Judicial  
Title**. 800 Westchester Ave, Suite S-340  
Rye Brook, NY 10573 Tel: (914) 381-6700.

**Michael Lisk and Roseanne Picone of Record  
and Return Title Agency, Inc.**, 7 Dempsey Place,  
Eastchester, NY 10709. Tel: (914) 395-2285.  
Roseanne Cell: (914) 355-8612.

**Nancy A. Scovotti of The Great American Title Agency Inc.**, 170 Hamilton Avenue, Suite 207 White Plains, NY 10601. Cell: (914) 841-6229.

**Holly Hasbrouck of Stewart Title Insurance Company**, 707 Westchester Ave., Suite 302, White Plains, NY 10604. Cell: (914) 552-0756.

**Megan Zangaglia of Benchmark Title Agency, LLC**, 222 Bloomingdale Road, Suite 102 White Plains, NY 10605. Cell: (646) 529-7891.

### Others

**Kommer Bave & Ollman LLP**,  
145 Huguenot Street, Suite 402, New Rochelle, NY 10801. Tel: (914) 633-7400.

**Glenn Lane, President, Westchester Family Care, Inc.**, 1 Depot Plaza, Mamaroneck, NY 10543. Tel (646) 418-8393.



## MEMBERSHIP APPLICATIONS AND RENEWALS REMINDER

The NRBA membership is from January 1<sup>st</sup> through December 31<sup>st</sup> of the calendar year. The annual dues are \$100. 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/> (by registering as a “new” member, once initially registered in the new system, annual renewals will be less cumbersome). 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. If you have

technical difficulties renewing online, please contact Hon. Jeffrey Levin at: [jeffrey.levin.law@gmail.com](mailto:jeffrey.levin.law@gmail.com) and we will assist you.

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.



## CLASSIFIEDS

**OFFICE SPACE AVAILABLE:** Office space available for rent at 271 North Avenue, New Rochelle, NY 10801. The office measures 10’ x 14’, is airy and has a large, south-facing window, has access to a conference room with copier, has lots of file storage space available, is located in a large business building with many other lawyers, in downtown New Rochelle near trains and parking, and is offered at a very reasonable monthly rental. For further information please contact Richard Sosis at [drlaw41@verizon.net](mailto:drlaw41@verizon.net).

### **OFFICE CLEANERS:**

Bucket & Pail Janitorial Service offers Electrostatic Disinfectant Spraying to eradicate and prevent contamination including COVID-19 (Coronavirus), Let us destroy the COVID-19 (Coronavirus) and protect your property.

A professional Sanitizing & Disinfecting company that utilizes the newest technology to destroy and prevent contamination within facilities Electrostatic sprayers use positive and negative charges to make disinfecting solutions electromagnetically stick to targeted surfaces. For example, no matter which

angle you disinfect a surface from, the charge created by the electrostatic sprayer makes the disinfectant wrap around and cling to the entire surface. While there are a variety

of electrostatic sprayers on the market, we at Bucket & Pail use Electrostatic sprayer, this means that their equipment meets all the minimum safety standard requirements established by OSHA and carried out by Nationally Recognized Testing Laboratories. Their disinfecting tablets are EPA registered.

Call for a free quote (203)804-9576 or email at [nbucketpail@aol.com](mailto:nbucketpail@aol.com)

Look us up at [www.cleaningservice.bz](http://www.cleaningservice.bz)



## SMALL CLAIMS

By: Jennifer A. Pasquantonio

As courts in New York have re-opened we would like to let you know that the City Court of New Rochelle has been in contact with the New Rochelle Bar Association to obtain assistance in securing volunteers to serve as arbitrators.

As attorneys may have concerns in appearing in person in Court we would like to share with you some of the safety protocols the City Court has put in place as you may consider volunteering as a Small Claims Court Arbitrator.

The City Court Officers go through a series of safety protocols as you go through security. Anyone entering the Court upstairs is asked a series of questions regarding Coronavirus and must be masked at all times upon entry. Arbitrators may pass through security with appropriate court ID and are required to adhere to the same protocols such as limited travel and contact or exposure to people with Coronavirus, even if they are not asked the same list of questions from the Court Officers.

The Court has limited the number of Court sessions, small claims participants and arbitrators. The Small Claims starts at 2 pm but only 10 cases are heard, with another set of 10 at 3:15 pm. The number of arbitrators is limited to 3, down from approx. 6. The New Rochelle Bar Association has also requested that only certain rooms are used to ensure proper social distancing, arbitrators are also instructed to stay in the same room throughout their session. The Court has minimized the use of smaller rooms and sharing of the Court rooms to increase safety. All participants and arbitrators are masked at all times and hand sanitizers are available throughout the Court.

The Court greatly appreciates the help the New Rochelle Bar Association and the arbitrators they provide as they enable the Small Claims Court to exist and process the large number of cases that are filed by residents in and around New Rochelle, many of whom can't afford an attorney and benefit from the assistance of a Courtroom interpreter.

The arbitrators not only benefit from socializing and networking with fellow local attorneys but can list the hours they volunteer on their Attorney Registration renewals as pro bono services.

The Court's next Small Claims Court sessions are scheduled for November 24 and December 9 at 2 pm and 3:15 pm.

If anyone would like to volunteer and be added to our list of arbitrators or have any questions about what is involved serving as an arbitrator please contact Jennifer A. Pasquantonio, Esq. at (914) 632-6990 or [jpasquantonio@optonline.net](mailto:jpasquantonio@optonline.net).



## AROUND TOWN

In remembrance of the passing of the Hon. Justice Ruth Bader Ginsberg (March 15, 1933 – September 18, 2020) we have included a picture from 2004, when Richard Sosis visited the US Supreme Court,

and was invited by Justice Ginsberg to visit her office and tour the upper floor of the Court. Richard's daughter Leah is shown in the photo with Richard and Justice Ginsberg. According to Richard Justice Ginsberg spent a half hour with them, and gave Leah a short lecture about her work and the work of the court.

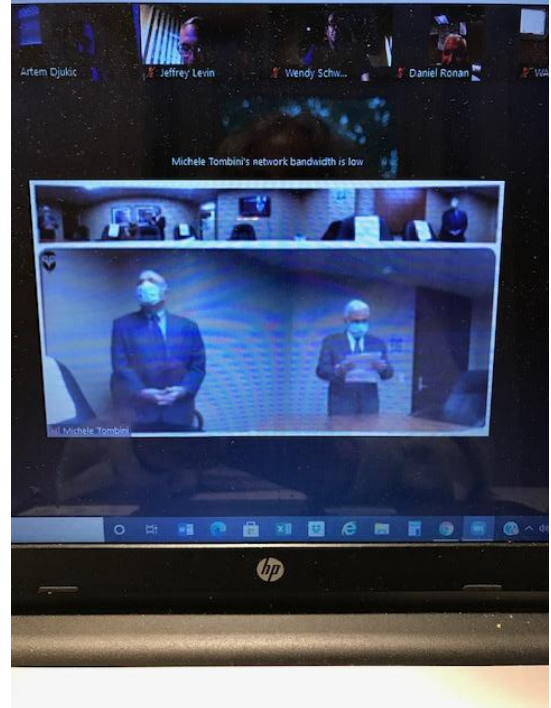


*Left to right, Richard A. Sosi, Hon. Justice Ruth Bader Ginsberg and Leah Sosis.*



**MEMBER NEWS & ANNOUNCEMENTS**

On September 30, 2020, the new board of Directors and Officers were sworn in for the first time via virtual ceremony.



- Your New Officers:
- Michele Tombini - President
  - David Lacher – Vice President
  - Artem Djukic – Vice President
  - Frank DiMarco – Treasurer
  - Laurie J. Korngold – Secretary
  - Ronald Zezima – Immediate Past President

Board of Directors: Jennifer Pasquantonio, Warren Agatston, Richard Sosis, Frank D’Onofio, Daniel S. Ronan, Gregory T. Varian, Perry Ochacher, Katharine Conroy, and Sheila Small.

Congratulations to Judge Ciparick! As recent law school graduates prepare to take the New York State bar exam remotely this October, the New York State Court of Appeals announced on Wednesday that it is appointing Justice Carmen Beauchamp Ciparick as the chair of the State Board of Law Examiners.

The State Board of Law Examiners prepares and administers the bar examination for admission of attorneys.

“We are fortunate to have someone of Judge Ciparick’s ability and experience to serve in such an important post,” Chief Judge Janet DiFiore said. “The Board of Law Examiners is the gatekeeper

that protects the quality and integrity of the legal profession. I am certain that Carmen Ciparick will lead the board with great distinction.”

Judge Ciparick has been a great friend to NRBA over the past 15 years and we congratulate her on her appointment.



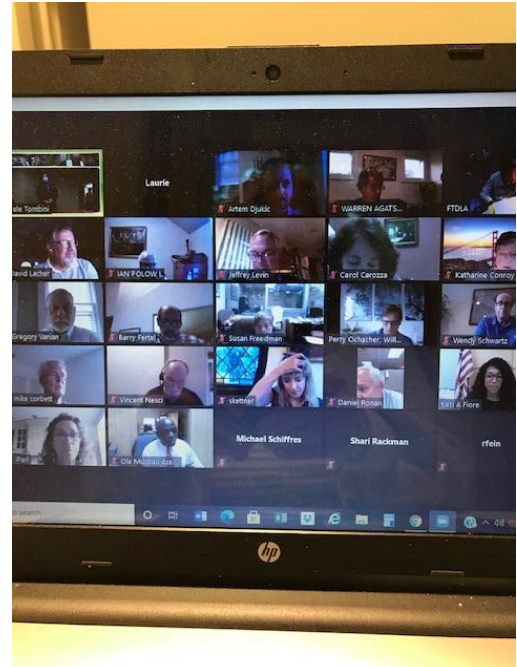
**CLE UPDATE**

THE NRBA Continues to provide monthly free CLE’s to all its members. Approximately 50 attorneys attended each of the NRBA’s first two virtual CLEs.

On July 16, 2020, the NRBA’s long time sponsor Judicial Title offered a Diversity credit CLE on “Creating and Living DEIA Values in the Legal Workplace.”



On September 30, 2020, HON. KERI A. FIORE gave presentation on “COVID and the COURTS: FOCUS on the FAMILY COURT.”



On October 29, 2020, Joseph Accetta, Esq. gave a Zoom presentation on “MHL art. 81 Adult Guardianships – Conducting the Hearing.”

On November 19, 2020, Anthony Enea, Esq. gave a Zoom presentation on “NUTS AND BOLTS OF ESTATE PLANNING AND AGING IN PLACE WITH MEDICAID HOME CARE.”



## UPCOMING EVENTS & CLEs

(Mark Your Calendars!)

CLEs will continue to be presented  
virtually via Zoom until we can  
resume meeting in person

### December 2020:

#### **Virtual CLE via Zoom, speaker TBD.**

The NRBA would encourage each of you to send us your suggestions for programs and speakers. Information regarding upcoming CLEs may be found in the "Upcoming Events" section of this newsletter.

Expect to receive advance notices with particulars by e-mail of these and future CLEs. Information will also be posted at [www.nrbar.org](http://www.nrbar.org).

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](mailto:jeffrey.levin.law@gmail.com)

OUR WEBSITE: [www.nrbar.org](http://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](http://www.nrbar.org).

For reservations for any of our upcoming dinners or events please contact Treasurer **Frank DiMarco, Esq.**, New Rochelle Bar Association, P.O. Box 1863, New Rochelle, NY 10802, [Franknr@aol.com](mailto:Franknr@aol.com)

### Getting Published

We welcome your submissions! All submissions should be sent to Artem Djukic, Editor, at

[adjukic@estatelawny.com](mailto:adjukic@estatelawny.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.