



Fall, November 2021

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

**Message from the President**

Dear Members,

As we celebrate Thanksgiving, and the start of the Holiday Season, I would like to take this opportunity to welcome our new members to the NRBA and highlight some of the upcoming events as we approach 2022.

The pandemic has placed a pause on many of the NRBA’s annual events and community programs. We have not been able to connect with our members in person since early 2020. During this period we have continued to offer our CLE programs on line via Zoom thanks to the tireless efforts of Hon. Jeffrey Levin, Ronald Zezima and Artem Djukic. We have overcome the initial technical glitches and will continue to offer valuable and informative programs to our members in 2022. Please watch for our email blasts for the upcoming programs.

On January 13, 2022, the NRBA will welcome back the Honorable Brandon R. Sall, Westchester Surrogate and the Honorable Nelida Maleve-Gonzalez, Bronx Surrogate, for an on line Zoom discussion on the State of the Surrogate’s Court.

We were unable to formally celebrate the Centennial of The New Rochelle Bar Association in 2021. We look forward to finally celebrating in style in 2022 with a Centennial Celebration welcoming back our special guests, the Justices of the New York State Court of Appeals. This Celebration will take place on Wednesday, May 25, 2022, at the VIP Country Club. The outdoor and indoor space has been enhanced and will offer the perfect setting for our first event in over two years!

I also invite you to visit our website at [www.nrbar.org](http://www.nrbar.org) to view the interviews of past

NRBA Presidents and distinguished members. I want to thank our NRBA Director Warren Agatston for his efforts in producing these informative interviews.

Please do not forget to renew your membership for 2022 when you visit the website.

It is our goal in 2022 to resume our Lawyer in the Classroom Project and our Law Club with the New Rochelle Boys and Girls Club. We will need volunteers for both of these programs, so we ask that you please contact David Lacher if you are available to volunteer.

I look forward to “seeing” you all in 2022 and making new memories. I wish you all a Happy Holiday Season and a Happy New Year.

Stay safe and well,

*Michele M. Tombini*

President



## Trust and Estate Corner

**By: Artem Djukic, Esq.**

Creditor's don't just have 7 months to collect claims against a decedent's estate. There is a common misconception that if creditors don't make a claim within 7 months of the decedent's death, that their claims are no longer valid and can be ignored. However, the actual rule (SCPA §1802) provides that if no claim or notice is made within 7 months of the issuance of letters of appointment "the fiduciary shall not be chargeable for any assets or moneys that he may have paid in good faith in satisfaction of any lawful claims or of any legacies or distributions to the legatees or distributees of the decedent before such claim was presented." Thus, the creditor claim is not invalid if it is presented after a 7 month period, but rather the fiduciary can not be held personally liable for assets distribute after 7 months, if no valid claims have been presented.



## 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

### 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

Doris Varlese is seeking a Paralegal sought for Chappaqua office, see link for Job Description: <https://recruiting.ultipro.com/CAR1044CMPC/JobBoard/d0aaa720-8e2c-45b2-a8c7-e144930cc72a/OpportunityDetail?opportunityId=65f6199c-7e50-4e21-baa4-b0473a506180>

## AROUND TOWN

### NEW ROCHELLE CHAMBER OF COMMERCE:

Open to All: The New Rochelle Chamber of Commerce is hosting a webinar about the Federal Employee Retention Credit (ERC) Program 11/30/21 at 12:30pm

The New Rochelle Chamber of Commerce has partnered with Bottom Line Concepts to assist and educate local businesses on the Federal Employee Retention Credit (ERC) Program.

Your business could get up to \$33K per employee in Employee Retention Credits (ERC), even if you received PPP loans. Bottom Line Concepts will maximize your refund from this Federal Program in the quickest time possible!

Their team of tax professionals will:

- Answer your Questions
- Determine whether your business qualifies for the ERC Program
- Calculate the maximum amount you can receive
- Guide you through the claims process, from start to finish

When: Tuesday, November 30, 2021, 12:30 PM Eastern Time

Register in advance for this meeting and email questions to: [catherine@newrochamber.org](mailto:catherine@newrochamber.org)

### EXPANSION OF MANDATORY E-FILING PROGRAM (NYSCEF) WESTCHESTER COUNTY SUPREME COURT

Chief Administrative Judge Lawrence K. Marks has sent out a notice proposing expansion of the mandatory E-Filing program within the 9th Judicial District – Westchester County Supreme Court for all civil matters with the exception of CPLR Art 70 proceedings, CPLR Art. 78 proceedings; Election Law proceedings, matrimonial matters and MHL matters. Notice of the proposed program will also be posted on the Unified Court's website at:

<http://nycourts.gov/rules/efiling/> for the purpose of collecting public comments.

### HISTORICAL EXHIBIT AT THE NEW ROCHELLE FAMILY COURT

The Lemmon Enslave Rescue Case

From Nov. 15 thru Nov. 24, a traveling historic exhibit was located at the New Rochelle Family Court, 26 Garden Street which tells the story of the Lemmon Enslave rescue case. The Lemmon case is a series of 1850s decisions by the New York Courts that ordered the release of 8 enslaved people including 6 children who were brought into New York by their Virginia owners while in transit to Texas. The Court of Appeals ruling in that case was in direct conflict with the Supreme Courts infamous Dred Scott decision of 1857 and it represented one of the most unyielding anti-slavery decisions made by any Court in the United State prior to the Civil War.

The exhibit was made possible by the Historical Society on the New York Courts and featured a short documentary narrated by James Earl Jones that brings to life the lawyers, judges and ordinary New Yorkers, including many African American, who helped rescue and represent the 8 enslaved people. For more information about the exhibit go to <https://history.nycourts.gov/common-threads-of-justice-lemmon-slave-case-videocast/>.

The Lemmon Exhibit will travel to 45 Courthouses in every judicial district.



## MEMBER NEWS & ANNOUNCEMENTS

### **WELCOME TO THE NEW MEMBERS**

We extend our warmest welcomes to the newest members of the NRBA:

- **Gertrude Pfaffenbach**

- **Thomas Petriccione**

Please make sure to say hello and make the new members feel welcome.



## CLE UPDATE

The NRBA will continue to provide free Zoom CLE's to all members on a monthly basis.

Our previous CLEs, included our November 18, 2021, CLE presented by the Hon. Eileen Songer McCarthy, "SMALL CLAIMS COURT VOLUNTEER ARBITRATOR TRAINING PROGRAM."

Our October 2021 CLE was presented by Joseph M. Accetta on "MENTAL HYGIENE LAW ARTICLE 81 GUARDIANSHIP COMPLIANCE PROCEDURES IN THE NINTH JUDICIAL DISTRICT."

Our September 2021 CLE was "WHAT LEGAL PROFESSIONALS CAN DO TO PLAN FOR THEIR PROFESSIONAL AND PERSONAL FUTURES," presented by ANTHONY J. ENEA, ESQ.



## UPCOMING EVENTS & CLEs

(Mark Your Calendars!)

CLEs will continue to be presented virtually via Zoom until we can

resume meeting in person

### November 2021:

Organizational Meeting for NRBA's Centennial Celebration, Monday, November 29, 2021, 5:30pm at Frank DiMarco's Office, 20 Cedar Street, Suite 106, New Rochelle, New York 10801 RSVP: [michele@ptw-law.com](mailto:michele@ptw-law.com)

### December 2021:

**Virtual CLE via Zoom, speaker TBD**

### January 2022:

Thursday January 13, 2022, State of the Surrogate, presented by the Hon. Brandon R. Sall, Surrogate Westchester and Hon. Nelida Maleve-Gonzalez, Bronx Surrogate via Zoom.

**February 2022: Virtual CLE via Zoom, speaker TBD**

**March 2022: Virtual CLE via Zoom, speaker TBD**

**April 2022: Virtual CLE via Zoom, speaker TBD**

### May 2022:

**Centennial and Court of Appeals Dinner, Wednesday, May 25, 2022.**

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.