



April 14, 2009 Vol. 4, No. 3

MARKETING OPPORTUNITIES THIS SPRING

NYBA'S 6TH ANNUAL TECHNOLOGY, COMPLIANCE & RISK MANAGEMENT FORUM – MAY 4-6, 2009 – TARRYTOWN, NEW YORK

NYBA's "Tech Forum" will be held at the DoubleTree Hotel in Tarrytown, New York. The Forum is a **must-attend event for Chief Technology Officers, MIS Managers, Compliance Officers, Information Security Officers, CFOs, and more.** It offers IT, risk management, information security, compliance and fraud management professionals the latest on industry trends, best practices, regulatory developments and state-of-the-art technology. The Tech Forum also provides an exceptional opportunity to network with industry decision-makers and share ideas on IT and compliance challenges. More than 40 vendors are expected to display products and services designed to help the bankers meet their business needs. Room rates are \$149 single or double. **For reservations, call 1-800-474-4620 and mention Meeting Code - NYB.** The DoubleTree is located just off I-87/287, close to the Tappan Zee Bridge, 20 minutes west of the Westchester County Airport and 30 minutes north of New York City and LaGuardia Airport. The cost for exhibit space will be \$850 for NYBA members and \$950 for non-members. The fee includes one complimentary registration; additional registrants are \$325 for members; \$425 for non-members. **Sponsorships are available. Exhibit space always sells out early so make your reservation today by contacting Mary Robb: mrobb@nyba.com.**

2009 HUMAN RESOURCES MANAGEMENT CONFERENCE – MAY 12-13, SARATOGA HOLIDAY INN

This annual conference is designed for human resource directors and specialists who wish to explore critical challenges affecting the management, retention and development of the bank's human resources. The program addresses the cutting-edge issues and trends impacting New York's banking industry from the HR perspective. The schedule provides for numerous opportunities for networking and information sharing with key human resource professionals from banks from throughout the state. **Table top displays** are \$600 for members, and \$700 for non-members. **Sponsorships are also available.** Contact Elisa Legg (Elegg@nyba.com) or Mary Robb (Mrobb@nyba.com) for details.

SENIOR MANAGEMENT CONFERENCE – JUNE 10-12, 2009 – OTESAGA HOTEL, COOPERSTOWN

This conference is especially designed for senior management teams of New York banks (EVP, SVP, CFO, COO, other direct report officers). **Sponsorships are available – and all sponsors will be recognized in the printed program, in signage and from the lectern.** For additional sponsorship information, contact Bill Foley (212-297-1675) or Mary Robb (212-297-1662). Single accommodations (one person) at the historic Otesaga are \$300 per person, per day; double accommodations (two people) \$187.50 per person, per day. Room Rates are based on the Full American Plan and include breakfast, lunch and dinner. Registration fees are \$395 for members, and \$545 for non-members, and cover the cost of conference sessions, receptions, group meal charges and conference materials. **The closing date for reservations is May 11, 2009.** Pre-Conference Golf at the Leatherstocking Golf Course will be Wednesday, June 10. Reservations received after that date will be on a space available basis. Watch nyba.com for program details. To register, visit nyba.com/education/meetings, or contact Mary Robb at mrobb@nyba.com.

...And, Don't Forget to [Save the Dates for NYBA's 63rd Annual Trust & Investment Conference, September 15-17, 2009 - Otesaga Hotel, Cooperstown, and NYBA's 59th Annual Retail & Small Business Banking Conference, November 18-20, 2009 - DoubleTree Hotel, Tarrytown. Contact Mary Robb at \[Mrobb@nyba.com\]\(mailto:Mrobb@nyba.com\) for details!](#)

LATEST FROM PROFIT SOLUTIONS

Agility a Hero During Ice Storm

Agility Recovery Solutions - the NYBSCO endorsed **disaster recovery specialist** – had a busy winter with all the storm activity. Agility rescued its member businesses in the recent ice-storm in the Mid-West by providing power, water and communications. To view television coverage of the disaster recovery, click this link:

<http://www.myfoxcharlotte.com/myfox/pages/Home/Detail?contentId=8332598&version=1&locale=EN-US&layoutCode=VSTY&pageId=1.1.1>

Within 48 hours of an Agility client declaring an emergency, Agility will deliver everything the business needs to keep running and stay connected to its customers. That includes generators, PCs, servers, tape drives, printers & fax machines, office space, including retail and back-office operations and satellite for voice and Internet access. To learn more about Agility Recovery, call Agility's Joe Bracchitta at (203) 253-7838, or NYBSCO's Gus Kananis at (518) 434-3556 – be sure to identify yourself as a NYBA Service Member.

NYBA's 401(k) Program Offers Best-in-Class Options

NYBSCO and Milliman, Inc., a leading provider of retirement plan services, have teamed up to **offer an attractive, affordable and reliable 401k program** for NYBA Member Banks and **Service Members**. The plan includes access to a state-of-the-art, Web-enabled system and best-in-class investment options. Each participating organization can choose its own plan provisions and investment options that include mutual funds, institutional share class funds, company stock and model portfolios. Participants can select from a menu of investment options developed by Milliman investment consultants, who will continually monitor and analyze investments. For

more information, please call Randy Broscius of Milliman at (518) 514-7100, e-mail: randall.broscius@milliman.com .

NYBA Offers Online Job Bank

NYBA Service Members are encouraged to explore the **Job Bank** on our web site at www.nyba.com. Offered through CareerBank.com, the online job bank offers assistance to job seekers and employers in the financial services and accounting professions.

PROFESSIONAL DEVELOPMENT

AIB ONLINE BANK FINANCIAL MANAGEMENT COURSES PROVIDE INSIGHT INTO COMMUNITY BANKING

The **AIB Online Bank Financial Management Series** offers challenging courses that provide an exceptional foundation in the financial management of a community bank. The courses include: *Analyzing Bank Performance* (4/13 or 7/6), *Managing Funding, Liquidity & Capital*, and *Managing the Bank's Investment Portfolio* (4/20). All four courses use the same textbook, *Bank Management*, by Timothy W. Koch and S. Scott MacDonald. The classes are rigorous and provide unique insights into the challenges of managing the financial performance of institutions in today's marketplace. Course start dates are listed above. Additional dates will be posted when scheduled. Contact Elisa Legg (elegg@nyba.com, 212-297-1679) for additional information.

USE AIB ONLINE COURSES TO BOOST BANKING KNOWLEDGE

Delivered anytime, anywhere, **AIB Online instructor-led courses** offer your employees the opportunity to gain banking knowledge in a cost-effective, time-efficient manner. Courses are available 24/7; participants are able to complete weekly assignments at home or at work at a time most convenient to them. An instructor will guide students through each lesson, provide feedback and answer questions. As your Local ABA Training Provider, the Association is pleased to offer the highly-regarded **American Institute of Banking (AIB)** curriculum at member rates to all NYBA service providers. We encourage you to check out these courses to provide your staff with the knowledge they need to work effectively with banking clients. Courses include: Principles of Banking, Commercial Lending, Trust Basics, Analyzing Bank Performance (see below), Marketing Financial Services, and more. To explore options in AIB Online training, please visit www.nyba.com/education/aib_online.html, or contact Elisa Legg (elegg@nyba.com).

Remember: You can sign up for automatic updates on all of NYBA's educational programs via e-mail at: www.nyba.com/education.

GOVERNMENT RELATIONS UPDATE

ALBANY

New York State legislative leaders and Governor Paterson announced agreement on a \$131 billion budget for the 2010 fiscal year that began April 1. Both the Assembly and State Senate

approved the budget. NYBA is pleased to report that it contained **no bank tax increases**. Two provisions that NYBA strongly opposed, one that would have required every bank and thrift doing business in New York to report annually on the total transactions in all accounts (including brokerage and demand, time and savings accounts) for **every business customer** and a second that would have repealed favorable tax treatment for the **bad debt of private label credit card** providers, were dropped from the final budget.

NYBA testified before Superintendent Neiman and a Banking Department panel in Harlem regarding the **State's Banking Development District (BDD) program**— a program designed to encourage banks and thrifts to operate in underserved areas. The cornerstone of the program involves the State depositing funds into the BDD branches at below market rates to help the branches gain viability and profitability. NYBA testified in strong opposition to allowing tax exempt credit unions from benefiting from a program funded by taxpayer dollars. A second Department hearing will be held in Buffalo on April 13.

Among bills reported was S. 2550-A (Diaz)/A. 3692 (Diaz), NYBA-opposed legislation that would require **credit and debit card issuers to pay sales tax directly** to the State of New York and relieve sales tax vendors of the requirement. NYBA filed a new memorandum in opposition, pointing out that only retail merchants have the data to be able to pay sales tax and that relieving them of the obligation would leave no party with knowledge of how much sales tax was due to the State.

NYS Assembly Republicans chose Brian Kolb (R-Canandaigua) as their new leader. He succeeds Jim Tedisco (R-Schenectady), who recently stepped down as and is awaiting the final tally of absentee ballots and resolution of potential legal challenges in his race against Democrat Scott Murphy in the still undecided special election in the 20th Congressional District.

WASHINGTON

Led by NYBA, a team of New York bank CEOs and senior officers met in Washington with fifteen members of the state's congressional delegation, including Senator Schumer. Clear progress was made on achieving a clean FDIC bill without bankruptcy cramdown. Senator Schumer acknowledged the need for the FDIC measures. Opposition to credit union expansion was also a hot topic with positive signals on that front. Importantly, changes sought by the industry regarding mark-to-market accounting were approved by FASB.

NYBA joined 120 other businesses and trade associations in filing with House Judiciary Committee leaders a letter in support of the Business Activity Tax Simplification Act (H.R. 1083), a bill that would clarify the **ability of states to tax** the income of out-of-State businesses.

The Administration announced a **Public-Private Investment Program** in conjunction with the Fed and FDIC, as part of its efforts to repair financial institution balance sheets. The Program would use \$75 to \$100 billion in TARP capital and capital from private investors to generate \$500 billion in purchasing power to buy legacy assets – with the potential to expand to \$1 trillion over time. The Public-Private Investment Program will be designed to share taxpayer risk and profits with private sector participants and use competition to establish the price of the loans and securities purchased under the Program. The Program has two parts, addressing both legacy loans

and legacy securities. The FDIC has requested comments on the Legacy Loan Program, with a deadline of April 10.

The **Office of Thrift Supervision** (OTS) announced that the Secretary of the Treasury has appointed **John E. Bowman**, Deputy Director and Chief Counsel, as Acting Director of the OTS, effective immediately. OTS Senior Deputy Director and Chief Operating Officer **Scott M. Polakoff**, who was serving as Acting Director, is on leave pending a review by the Department of the Treasury of the OTS's August 2008 actions related to post-period capital contributions at IndyMac.

NYBA NEWS

NYBA's Bank Security Task Force met to discuss a proposed ordinance which was introduced in the **New York City Council**. The ordinance **mandates bandit barriers** for all banking institutions doing business within the City. NYBA and its member banks have been engaged in an extended dialogue with the New York City Police Commissioner regarding the recent up-tick in bank robberies in the City, and the Commissioner's view that bandit barriers in every branch would alleviate this increase in robberies. The proposal would require the installation at all teller windows of bulletproof glass that meets Underwriters Laboratories Level II ballistic standards. Each violation would subject the affected bank to a civil penalty of up to \$1,500 per violation, and failure to correct such violation within two weeks, would subject the bank to an additional penalty of up to \$1,000 for each day the violation continues. Banks where transactions are conducted primarily by cash-dispensing machines would be exempt. NYBA is writing a letter to the Mayor and to members of the City Council detailing its objections to the measure, and reiterating its long-held policy of opposing "one size fits all" mandates when it comes to public safety in bank branches.

In a National Public Radio interview, NYBA President & CEO Michael Smith further responded to law enforcement's criticism of "living room-style bank branches" by pointing out "This is not your normal living room, I can assure you. Most living rooms don't have seven or eight cameras trained in and have people on the lobby level watching what's going on." NYBA continues to work with the NYPD and banks operating in New York City to hold back legislation mandating bandit barriers.

"First Look" is published by the New York Bankers Association. Please send questions, comments or submissions to Stephen W. Rice, srice@nyba.com, Fax 518-434-1576, or call 518-434-3557.

We are sending you this e-mail for your information. If you prefer not to receive any further messages from us, you may unsubscribe to "First Look" by contacting Steve Rice at 518-434-3557 or srice@nyba.com. Thank you.