



June 14, 2010 Vol. 6, No. 1

## MAJOR MEETINGS

### **NYBA MEETINGS OFFER GREAT OPPORTUNITIES FOR SERVICE MEMBERS**

NYBA offers a wide range of **quality networking opportunities for firms wishing to connect** with the leaders and decision-makers of New York's banking industry.

#### Senior Management Conference

(June 16-18, The Sagamore, Bolton Landing)

This comprehensive educational program is designed for CEO's, CFO's, COO's and other members of the bank's senior management team. It's a chance to stay current on important industry developments, new business growth strategies, and significant networking opportunities. A wide array of sponsorship and exhibit opportunities are available for all three days and nights. All sponsors will be recognized in the program, on signage during the sponsored event, from the lectern during general sessions, and on NYBA's website. Contact Mary K. Robb at [Mrobb@nyba.com](mailto:Mrobb@nyba.com). [Click here](#) for more information.

**"Save the Dates" for these additional NYBA programs to be held later in 2010:**

#### Retail & Small Business Banking Conference

(September 22-24 - Crowne Plaza , Albany )

**Network with decision makers from more than 40 New York financial institutions.**

Sponsorship and exhibit opportunities are available. (Tabletop displays are preferred.) Sponsors will be recognized from the podium, in program materials, on event signage and on NYBA's website. The on-site program book will also include exhibitor descriptions, company logos, and contact information. All receptions, breakfasts, refreshment breaks and lunch – and, Wednesday's Dinner – will be held in the exhibit area.

For hotel reservations, call the Crowne Plaza Albany at 877-462-4441. Mention NYBA Group Code BZU to obtain the preferred room rate of \$134. The room block will be held until September 7, 2010, after which rooms are subject to availability. **Contact Elisa Legg ([elegg@nyba.com](mailto:elegg@nyba.com)) or Mary K. Robb ([mrobb@nyba.com](mailto:mrobb@nyba.com)) for additional details.**

### **64th Annual Trust & Investment Conference**

(October 5-7, DoubleTree Hotel, Tarrytown )

### **Financial Services Forum**

(Monday-Wednesday, November 8-10, Waldorf=Astoria, New York City)

**Three days of general and concurrent breakout sessions.** Make your **Hotel Reservations** today by calling 1-877-GROUP-WA. Be sure to mention code NYB, or go to: [Waldorf Reservations](#). Watch your email and future issues of First Look for program and sponsorship information.

**For further information** on these programs, **contact** Elisa Legg ([elegg@nyba.com](mailto:elegg@nyba.com)) or Mary K. Robb ([mrobb@nyba.com](mailto:mrobb@nyba.com)).

## **PROFIT SOLUTIONS**

### **CSSI HELPS LEVERAGE TAX FLOW TO KEEP CAPITAL WORKING FOR YOU**

NYBA's New York Bankers Service Corporation (NYBSCO) has endorsed Cost Segregation Services, Incorporated (CSSI) for Engineered Cost Segregation that helps owners of commercial property leverage tax cash-flow, keeping your working capital "working" for you! As an independent, qualified, fully compliant engineering firm that solely concentrates on engineered cost segregation studies CSSI is able to work with you and your accounting firm in applying their methodology and economic results. CSSI will provide a **no cost analysis that will prove the economic feasibility of an engineered cost segregation study**. Engineered Cost segregation is an IRS approved method that enables commercial property owners to re-classify approximately 30% - 40% of their buildings from real property to personal property. Real property is typically depreciated over a 39 year schedule; whereas personal property can be depreciated in 5, 7 or 15 years, thus generating tremendous cash flow. Please contact Joe DeSanzo at 908.684.3244 or [jdesanzo@cssi-associate.com](mailto:jdesanzo@cssi-associate.com) to discuss CSSI's no cost no obligation analysis on your branch network.

### **NYBA's 401(k) PROGRAM - AN ATTRACTIVE OPTION FOR SERVICE MEMBERS**

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 continually monitor and analyze investments. For more information on this exciting program, please contact Paul Bonsee of Milliman at (973) 569-5541, or email him at: [Paul.Bonsee@milliman.com](mailto:Paul.Bonsee@milliman.com).

### **BUSINESS AS USUAL WHEN THE UNUSUAL STRIKES**

The New York Bankers Service Corporation (NYBSCO) recently announced its endorsement of **Continuity Centers** and their disaster recovery solutions. NYBSCO has made special

arrangements for NYBA Members, and believes that Continuity Centers' unique services will make recovery testing easier, help firms become more resilient, and save money in the process!

Continuity Centers has more than 10 years' experience specializing in disaster recovery, and they look forward to putting that expertise to work for NYBA members. A series of webinars beginning in early April -- exclusively for NYBA Members -- will provide a detailed introduction to their services. To learn about special Members-only offers, including money-saving discounts, and to **register for one of the upcoming webinars**, please visit [www.ContinuityCenters.com/NYBA](http://www.ContinuityCenters.com/NYBA).

For more information, please contact Amy Whissen at 516.704.0017, [Amy@ContinuityCenters.com](mailto:Amy@ContinuityCenters.com).

### **E-MAIL ENCRYPTION IS CRITICAL**

New York Bankers Service Corporation-endorsed ZixCorp addresses email security with a **comprehensive suite of services** that include an email assessment program, a manual desktop encryption function for individual users and a corporate-wide solution for **automatic content scanning and encryption**. The enterprise-wide ZixVPM (Virtual Private Messenger) monitors all company outbound email and automatically determines whether information should be encrypted based on policies set by the organization and a built-in, pre-configured lexicon. The lexicon detects and encrypts email that contains nonpublic information, including Social Security numbers, credit card numbers, personal financial details and other confidential information.

**NYBSCO has negotiated special terms for NYBA Members and Service Members.** To learn how ZixCorp can help secure your organization's confidential email, contact ZixCorp's Steve Irons at (781) 993-6023; email [sirons@zixcorp.com](mailto:sirons@zixcorp.com) - be sure to **identify yourself as a NYBA Service Member to qualify for your discount**.

### **XEROX OFFICE EQUIPMENT PROGRAM**

[Negotiate Your Best Deal – Then Take Off Even More](#)

NYBA's office equipment program provides NYBA members with additional discounts on purchased Xerox equipment. If you buy Xerox equipment, negotiate your best deal with the merchant, then **receive a discount** above and beyond what the dealer provides. The discount applies to equipment, supplies, training and systems management. Call (800) 275-9376, ext. 2265, and **reference contract number 0706438 to qualify for the NYBA discount**. For further information on this NYBSCO product, please contact NYBA's Field Marketing Manager Gus Kananis at (518) 434-3556: e-mail [gkananis@nyba.com](mailto:gkananis@nyba.com).

### **NYBA'S WORKERS COMP GROUP INVITES SERVICE MEMBERS TO COMPARE COVERAGE**

Arthur J. Gallagher Risk Management Services, administrators of the NYBA Workers Compensation Safety Group, now has an **additional Safety Group Available to NYBA Service Members!** In addition to attractive cost benefits, the Safety Group makes it much easier for the HR professionals at participating clients to keep track of claims and the status of injured employees. The NYBA plans provide all participants with state-of-the-art on-line claims tracking and monthly reports. The Workers Compensation coverage available to NYBA Service Members offers significant **up-front discounts** off state mandated rates and the **potential for dividends**, depending on group experience. For more information on this valuable program, and to receive a non-binding quote to compare your current coverage, please call Lynn Cagnetta of Arthur J. Gallagher Risk Management Services at (203) 642-0502 [e-mail [lynn-cagnetta@ajg.com](mailto:lynn-cagnetta@ajg.com)]. Be sure to **identify yourself as a NYBA Service Member**.

## PROFESSIONAL DEVELOPMENT

### Senior Management Conference

June 16-18 – Sagamore Hotel, Bolton Landing

This comprehensive educational program is especially designed for bank CEO's, CFO's, COO's and other members of the bank's senior management team to help them stay current on important industry developments, new business growth strategies, and significant networking opportunities.

**Segments include:** New York State's Economic Outlook – One Year Later... Balance Sheet Strategies...Driving Retail Revenue Post-Reg E...Managing Interest Rate and Liquidity Risk...Enhancing Long-Term Franchise Value...Raising Capital...Safety, Soundness & Small Business Lending...Building an ERM Framework for Your Organization...Navigating Employee Issues (Wage Hour, Discrimination, Social Media, Compensation & Incentives. [Contact Elisa Legg](mailto:Ellegg@nyba.com) ([Ellegg@nyba.com](mailto:Ellegg@nyba.com).)

## ONLINE COURSES PROVIDE HIGH QUALITY EDUCATION WITH ONLINE CONVENIENCE

### Help your employees build their banking knowledge

How well do your employees understand the business of banking? AIB courses, offered in both instructor-led and self-paced online formats, offer a cost-effective, time-efficient way to provide training for employees new to the banking industry [AIB Online](#) courses provide in depth industry knowledge in such as areas as Consumer Lending, Mortgage Lending, Analyzing Bank Performance, Analyzing Financial Statements, Principles of Banking, and more. The [AIB Online Course Schedule](#) is now available for courses through December 2010.

NYBA webinars, telebriefings and the GSB Online Classroom help to keep a lid on travel costs. Use them to bring essential updates and nationally known instructors right to your office. Take advantage of these [Webinars, Telebriefings](#) and [GSB Online Seminars](#) .

For information on **all** NYBA educational programs, visit [nyba.com](http://nyba.com) or contact Elisa Legg ([ellegg@nyba.com](mailto:ellegg@nyba.com), 212-297-1679).

And remember: You can sign up for automatic updates on all of NYBA's educational programs via e-mail at: [www.nyba.com/education](http://www.nyba.com/education).

## GOVERNMENT RELATIONS

### ALBANY

The Legislature recently completed action on, and sent to the Governor, A. 11101 (Cahill), NYBA-supported legislation extending the **Power for Jobs** Program retroactively to May 15, but expiring June 2. The Governor is expected to sign it, as he negotiates with the Legislature a more lengthy extension.

### WASHINGTON

With the **Senate passage of the regulatory restructuring bill** (S.3217/H.R.4173) on May 21, NYBA efforts will focus on the reconciliation process between the House and Senate bills. It is a critical last step and we plan to set our priorities and work with our allies to achieve an improved bill. NYBA President Mike Smith thanked all the bankers who worked so hard to improve this legislation in both the House and the Senate, and noted their efforts were not in

vain. Many damaging amendments were avoided and several critical provisions were improved. For example, the federal preemption standard set forth by the United States Supreme Court in the *Barnett* decision was preserved and efforts to repeal the Marquette case on interest rates were defeated. Also, the Federal Reserve's supervisory authority over state chartered banks was preserved. Other harmful amendments, such as capping ATM fees and bankruptcy cramdown, were rejected.

Unfortunately, in such a massive bill undesirable provisions remain and, in some cases, were added in the Senate. The monolithic consumer agency remains along with its exclusive rulemaking authority. Price restrictions on interchange fees and restrictions on current capital standards for bank holding companies were approved in the Senate with little deliberation. The House bill does not contain these last two provisions. Other issues that remain unresolved include: new federal thrift charters, state bank lending limits, exemption for Federal Home Loan Bank single borrower lending limits, protection of the use of derivatives by banks, and future oversight of accounting rules. NYBA is committed to working to achieve the best result in such a challenging environment.

The House Financial Services Committee approved legislation designed to boost **bank lending to small businesses**. H.R. 5297, the Small Business Lending Fund Act, will establish a \$30 billion fund to provide additional **capital to community banks** linked to small business lending. The capital is to be repaid over time. Eligible banks and thrifts with assets under \$1 billion could receive up to 5% of risk-weighted assets in capital and those from \$1 to \$10 billion could receive up to 3%. The initial rate of interest on the preferred stock issued to the Treasury by participating institutions would be 5%, and it would increase or decrease over time based on the amount of an institution's small business lending. During Committee consideration an amendment that would have doubled authorized **credit union business lending** from 12.5% to 25% of assets was ruled non-germane. NYBA had written all 8 New York members of the Committee urging that they oppose the amendment. It is likely that the credit union business loan cap bill will come up in another form in the next several weeks.

### LOCAL DEVELOPMENTS

NYBA and a number of its member banks recently attended a Nassau County Roundtable Forum addressing the economic **impact of foreclosures**. The roundtable attracted county officials including the Nassau County Executive and representatives of the State Banking Department and the Attorney General's Office as well as a number of housing counseling organizations. Despite the fact that New York as a whole ranks among the states with the lowest mortgage rates, Nassau County ranks 44th in the country and Suffolk ranks 21st. NYBA is actively engaged in working with its members, community leaders and public officials to find solutions to the current foreclosure crisis.

## NEWS & TRENDS

Mortgage rates in the U.S. have taken an unexpected dip as the result of the European financial crisis. Industry analysts say that rates could fall to 4.5 percent this summer.

Economists believe that home prices will begin to rise again next year. Also, housing starts were up sharply last month – to an 18-month high.

Economists also believe that the U.S. economy will expand at a healthy rate this year and next, as consumers are expected to increase spending. Most experts surveyed believe the U.S. is past the recession.

Two thirds of U.S. retailers have posted healthy profits that beat Street estimates this year. But some analysts say the party may not last as the result of rising prices of materials and labor.

According to the FDIC, U.S. lenders turned profits of \$18 billion in the first quarter. However, the number of banks on the regulator's "problem list" has grown to 775. Also, the NCUA placed eight more credit unions on its watch list and set aside \$170 million to cover losses.

*"First Look" is published by the New York Bankers Association. Please send questions, comments or submissions to Stephen W. Rice, [srice@nyba.com](mailto: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](mailto:srice@nyba.com). Thank you.***