

womanink

NAWBO Buffalo Niagara • P.O. Box 917 • Williamsville, NY 14221 • www.nawbowny.org

october 2009

Chapter
Partners

Quicker, Better, Wiser: Social Networking for Pros

Online social networks like Facebook, MySpace and LinkedIn are powerful marketing tools. Throw in Twitter (which lets you blast out ultra-brief electronic diary entries called "tweets"), easy-to-create blogs and online forums, and small-business owners have a fat cache of weapons for [attracting] just about any ... customer.

But social networks are about more than just getting the good word out. For the most innovative small businesses, they're about providing extraordinary customer service.

Our speaker, Gene Marks, is an author and business owner who writes monthly online management & technology columns for *Forbes* and *Business Week*. Marks will explore the brave new world of using online social networks as marketing tools for small businesses.

Wednesday, October 14, 2009
5:30 p.m. networking
6:00 p.m. dinner

Cost: \$30 member/\$40 guest

Sean Patrick's Restaurant
3480 Millersport Highway • Getzville

RSVP by October 9, 2009

Online: www.nawbowny.org

E-mail: nawbowny@gmail.com



DIAMOND
KeyBank


KeyBank
Sharon Lochocki
716-847-7772

Janine Clark
716-276-2030

EMERALD
 **M&T Bank**

M&T Bank
Elizabeth M. Kraus
716-839-8726

Anne Roder
716-677-5713

MEDIA
SPONSOR
 **BUSINESS
FIRST**

Buffalo Business First

NAWBO Buffalo Niagara is a leading advocate for Western New York women entrepreneurs who aspire to higher levels of opportunity, challenge, and success.



upcoming chapter events

Program is subject to change

friday, october 9, 2009

Lunch Bunch

This small member-only group meets monthly on **Fridays** at **12:30 p.m.** Join us at **Lisa and Bob's Citta di Militello**, 760 Wherle Drive at Union Road, Williamsville (in Gold's Gym Plaza). Our discussion will be "How Does Your Interaction Style Affect The Way You Do Business?" Please RSVP to Amy Remmele at amy@peakofsuccess.com.

october 14, 2009

Quicker, Better, Wiser: Social Networking for Pros

See front page for full details.

thursday, october 15, 2009

Breakfast Group

Our member-only group meets each month for business talk, problem solving and fellowship on **Thursday** mornings at **8:00 a.m.** at **The Original Pancake House**, 5479 Main Street, Williamsville (www.originalpancakehouse.com). The side room off the foyer has been reserved for NAWBO. Please RSVP to Dottie Austin at daustin@wccaldwell.com or 632-7663.

niagara university family business breakfast forums

tuesday, october 6, 2009

Government Programs and Financial Assistance

Presented by U.S. Small Business Administration (SBA) and Service Core of Retired Executives (SCORE). The Niagara University Family Business Center is dedicated to serving the needs of family and privately owned businesses in Western New York and Southern Ontario through the exchange of knowledge. The Center's mission is to develop and exchange relevant information on family business issues in order to strengthen the stability and long term viability of family and privately owned businesses through education, research, and service.

Through a scholarship program with Niagara University, NAWBO Buffalo Niagara members can attend the The Center's Breakfast Forums **free of charge**. Space has been allotted for **up to 5 NAWBO members to participate at each forum**, held monthly at **Sonoma Grille**, 5010 Main Street in Snyder. Breakfast & networking: 7:30 – 8:15 a.m.; presentation: 8:15 – 9:30 a.m. **To register:** Contact Cindy Valtin at 688-4943 or CValtin@roadrunner.com. Niagara University contact info: Melissa Heidt, (716) 286-8160 or CBAcenters@niagara.edu.

upcoming business event

tuesday, october 13, 2009

Succeeding in Turbulent Times

Don't miss the Canisius College Entrepreneurship Symposium, **Succeeding in Turbulent Times**, featuring keynote speaker Howard Hyden, and a series of workshops about new trends in key business disciplines. It will be held **8:30 a.m. - 3:30 p.m.** at **Montante Cultural Center, Canisius College**, 2001 Main Street in Buffalo. The cost is **\$150** per person.

Breakout sessions: To invest or not to invest in your business; Evaluating and financing your next move; Expanding into new markets: Who is your next customer?; How can the Internet boost your sales?; Strategic thinking to stand out from your competition; and People make the difference: Finding, developing and keeping talent. Includes continental breakfast with networking; morning keynote, Howard Hyden; five morning breakout sessions; lunch keynote speaker, Andrea Simon; five afternoon breakout sessions; and a final wrap up with a resource fair. **Register at: www.canisius.edu/succeed.**

n a w b o

The National
Association of Women
Business Owners
propels women
entrepreneurs into
economic, social,
and political spheres
of power worldwide by:

- **Strengthening**
the wealth creating
capacity of our
members and
promoting economic
development within
the entrepreneurial
community

- **Creating** innovative
and effective changes
in the business culture

- **Building** strategic
alliances, coalitions,
and affiliations

- **Transforming**
public policy and
influencing
opinion makers

**You started your business with
the help of family and friends.**

**Now you can move it forward with the
help of an SBA loan from KeyBank.**



The support you need to succeed.

You began your business with the support of those who mattered most in your success. Now that you're taking another step ahead, it's good to know there's a bank that's behind you, too. Talk to KeyBank, and find out how an SBA loan can work hard to help make your life's work easier. Key has 25 SBA specialists in 14 states who specialize in matching the best SBA loan to your needs, and help ensure the application and approval process works as efficiently as you do. So you can keep achieving what everyone always believed you would.

Achieve anything.

To find out more about Key SBA lending, visit your nearby KeyCenter, call Sharon Lochocki at 847-7772, or go to Key.com/sba.



SBA loans are subject to credit approval. Certain restrictions may apply. Member FDIC.
Key is an SBA Preferred Lender.

©2005 KeyCorp

member chapter partners

SILVER

Construction and Service Solutions Corp.
Suzanne Witnauer • 716-570-1352

Fernwood Capital & Leasing
Laurie Albertsson • 716-694-9302

Insty-Prints Business Printing
Joyce DeLong • 716-634-5966

Jaeckle Fleischmann & Mugel, LLP
Jean Powers, Esq. • 716-250-1803

Kopin & Company, CPA, PC
Marion Kopin • 716-839-4556

Victoria's Sweet Shoppe, Inc.
Maryann Salvatore • 716-894-6845

White Rabbit Design Studio
Katharine Smith • 716-839-3696

BRONZE

Duke Holzman Photiadis & Gresens LLP
Patricia Gillen, Esq. • 716-855-1111

Lougen, Valenti, Bookbinder & Weintraub, LLP
Carolyn Valenti • 716-204-9000

nawbo buffalo niagara

NAWBO Buffalo Niagara brings bottom-line benefits to your business. Monthly programs offer inspiration, information, and insights that are absolutely essential for business owners. The chapter provides workshops, leadership development programs and member-only scholarships. Network with dynamic women entrepreneurs and make all-important business contacts. Benefit from NAWBO members' support, energy, and experience: these are women entrepreneurs who know what it takes day-to-day to grow a business.

All contributed articles must be original work; all previously published works must be accompanied by the publisher's authorization to reprint. *WOMANink* reserves the right to edit contributed articles for clarity and length, and reserves the right to refuse to publish any contributed article.

The articles contained in *WOMANink* express the views of the individual authors and do not necessarily represent the views of NAWBO, or the NAWBO Buffalo Niagara Chapter. *WOMANink* is distributed for information purposes only, with the understanding that neither NAWBO, the NAWBO Buffalo Niagara Chapter, nor the individual authors is offering legal, tax or financial advice.

WOMANink is a monthly information service for the NAWBO Buffalo Niagara Chapter's members and other women business owners. Published 10 times per year (no issues in July and August). Circulation: September and February issues approximately 750; and remaining months, approximately 140. Payment must accompany all advertisement requests. *WOMANink* reserves the right to refuse to publish any advertisement.

© 2009 NAWBO Buffalo Niagara

member news

Leanne Oldenbrook, owner of **cm yoga**, is holding a **Finger Lakes cm yoga Retreat** on **October 2, 3, and 4, 2009** at The Savanna House (www.savannahousevacation.com). Enjoy a weekend of yoga, wine tasting, barbecue, and general relaxation on 26 acres situated on Seneca Lake. The cost is \$185 and includes double occupancy accommodations, daily yoga, wine tasting on Friday night, barbecue on Saturday night, and other activities. Space is limited; call Leanne Oldenbrook at 716-864-1194 to reserve.

NAWBO Buffalo Niagara members are invited to a special **NAWBO Open House** at **cm yoga**, 711 Niagara Falls Boulevard at Longmeadow, on Wednesday, November 4, 2009 from 6:00 – 8:00 p.m. Join us for a relaxing gentle yoga class from 6:30 – 7:30 p.m., followed by tea and cookies. Please call Leanne Oldenbrook at 716-864-1194 or e-mail crescmnyoga@yahoo.com to RSVP; reply soon, space is limited!

Michelle Bonn, owner of **Expedient Trade**, and **Renee Cerullo**, owner of **RLComputing**, have been nominated for the **Young Professional Athena Award**. The luncheon will take place **Wednesday, November 4, 2009**, 11:30 a.m. – 1:30 p.m. at the Adam's Mark Hotel in Buffalo. To register online visit: www.thepartnership.org/Home/HomeLinks/events/AthenaAwardProgram. Those attending should ask to sit at Michelle and Renee's table.

Lisa Hunter Jewelry, owned by **Barbara Maira**, was voted the **Best Jeweler** in the 2009 Best of WNY Buffalo Spree survey and received the award at the Best of WNY party in June. Lisa Hunter Jewelry has designed a pendant for the benefit of **Women & Children's Hospital**. A contest is currently going on to name the pendant; the winner will receive a sterling silver pendant with a diamond. For more information: www.lisahunterjewelry.com.



advertising

ANNUAL AD RATES AND SIZES:

Ads run in 11 issues (no issue in July).

Full page (7 1/2" x 10")	\$1,000	Half page (7 1/2" x 4 3/4")	\$525
Quarter page (3 3/4" x 4 3/4")	\$225	Business card (3 1/2" x 2")	\$125

SPECS:

Send business card, and check (payable to NAWBO) to: White Rabbit Design, 173 Audubon Drive, Snyder NY 14226. For electronic submissions, preferred formats: PDF, eps or tif. E-mail files to: whiterabbitdesign@roadrunner.com.

articles

E-mail your submissions to: whiterabbitdesign@roadrunner.com. Contributed articles must be original work; all previously published works must be accompanied by the publisher's authorization to reprint. *WOMANink* reserves the right to edit contributed articles for clarity and length, and reserves the right to refuse to publish any contributed article.

At M&T, We Do Big Things For Small Businesses.

M&T Bank has a long history of helping small businesses turn ideas into reality. Our Business Banking specialists will guide you on every aspect of your business from cash flow management and financing needs to investments and employee benefits. For more information on what M&T can do for your business, contact Elizabeth Kraus at (716) 839-8762 or Anne Roder at (716) 677-5713. You can also call the M&T Business Banking Center at 1-800-724-2345, or stop by any M&T Bank branch.



www.mandtbank.com © 2006 M&T Bank. Member FDIC.



Erin L. McCabe
Assistant Vice President & Branch Manager

HSBC Bank USA, National Association
1675 Walden Ave, Cheektowaga, NY 14225
Tel: (716) 896-3850 Fax: (716) 896-2156
erin.l.mccabe@us.hsbc.com

KOPIN & COMPANY, P.C.

Certified Public Accountants

Marion Kopin, CPA
Tax Planning & Preparation ■ Business Consulting

Tel: 716.839.4556

Fax: 716.839.0012

e-mail: mkopin@kopinpcpa.com

web site: www.kopinpcpa.com

4600 Main Street, Amherst, New York 14226

INSTY-PRINTS®

BUSINESS PRINTING & DIGITAL SERVICES

- ✓ stationery
- ✓ digital color copying
- ✓ graphic design
- ✓ brochure
- ✓ high-speed copying
- ✓ newsletter
- ✓ labels
- ✓ mailings

What's on the top of your list?

Buffalo • New York • 716.634.5966

Take The Bullying By The Horns

by Amy Remmele

I remember the time years ago when I first walked into a board room, so happy to be taking my beloved science of Psychology into business. I listened so carefully and with such anticipation of learning how things worked. But, as most of you with experience in board rooms can understand, my inner reaction was, "OMG" (just showing off my knowledge of text language), "these people are worse than the kids on a playground." All that was missing was the dirt to kick. That was the bad news. The good news was that all this talk about "coaches" and "special consultants" was just so the business crowd could think of themselves as different from, a cut above, psychotherapy clients, with different, higher level, "better" kinds of problems. The reality was that their problems were just like all of our other clients' problems – anxiety, attitudinal blocks to life success, poor communication and conflict resolution skills, and relationship issues. Working with co-owners was just like working with a married couple. But most important, as everywhere else, there were bullies "ruling with iron fists." Bullies, in places where teamwork and collaboration were touted as the roads to success! How shocking it was to me back then. But also, as a professional, I felt what a relief it was to realize that I had already been trained to help these people. All of that education I used with individuals, couples and families would work in this "big wide world" of business. All I had to do was to translate it into another language, Biz Talk.

All of that said, bullying is one of the most common, under-reported problems plaguing businesses, from the board room to the rest room. And the only difference between adults in business bullying each other and the kids in schools and playgrounds bullying each other is that the stakes get higher and the weapons get more dangerous. For all of you out there who have never been bullied – Great! For all of you who have, you will know what I mean when I say that bullying is pervasive and persistent and mostly ignored. Why is it ignored? Well, first and foremost because bullies are scary. It's easier and it seems less dangerous to smile, say "good kitty" and give the tiger your lunch money. Especially when you are under the bully's radar, being overlooked, the quickest, easiest escape is just that, escape by not calling attention to yourself. Therefore, with nobody intervening or even pointing out the bullying, the bully is left to do his or her own thing and the bystanders have gotten away unharmed – this time.

Embarrassment and fear of exposure also cause people to stand on the sidelines while bullies do their worst. Especially women have been raised and geared to not "make a fuss." This belief system is the safety net predators and criminals who target women most rely on. Pushing a woman who is too embarrassed to scream or fight is a great tactic for a criminal. And many women do not realize that the appropriate assertive response to a man invading her space or not taking "no" for an answer is to scream or otherwise become very assertive, even aggressive. Too many women think that "polite" will work. Unfortunately, too many predators, and business bullies, know this.

Bullies often are not stopped because people engage in bystander apathy, adopting the idea, "It's not my problem." For these people, I say, even if you have

no social conscience, consider what happens to a world where bullies are allowed to run rampant. History shows that people, and isolationistic nations, thought that way about Hitler, Joe McCarthy and Saddam Hussein. Street gangs don't start out with hundreds of members. It seems that it would be more beneficial to society and to any group to confront and if necessary squash bullies before they have time to spread their influence, recruit their legions, "breed" and multiply.

Defeatist attitudes like, "it will take so much work to fix the problem" often lead the system to just tolerate the bullying. This is a bit like perpetually covering a festering wound with band aids, rather than having the infection excised. And make no mistake about it, bullying is an infection which can easily become terminal to the optimal functioning, the morale and even the existence of a group or organization. It may not kill the system today or tomorrow, but somewhere down the line, the system will either die altogether or the price, the strain on the system, will be so high that the system will start to eat itself by creating negative cultures, undermining, and lawsuits.

Finally, closely related to the attitude of "let's just ignore it," is a pattern of insidiousness. The bullying, the mean-spiritedness, creeps up so slowly that the level of tolerance just keeps moving up as well. They say that if you put a frog in boiling water, it will jump out immediately, but if you place it in warm water and slowly raise the temperature to almost boiling, the frog will just be lulled into remaining until it is dead.

This happens with bullying, too. The pushing, the threats, the putdowns and innuendoes start out mild and slowly escalate. It often takes an outsider to recognize that there is bullying going on. Many times, the Biz Talk covers and disguises it with the euphemism or excuse du jour, such as "Tom's just stressed," "She just gets right to the point," "It's best to stay away from him," or "We've learned just to let her believe she's right."

In each scenario, however, where the choice is to somehow ignore or tolerate the bullying, the people are all dancing around the bullies, cleaning up their messes and avoiding their wrath. Behind the scenes, the bully is being disliked and cursed. This atmosphere creates an environment where the bully, and sometimes the whole system, is being undermined and passively aggressed against. In such an arrangement, no one speaks the truth to bullies and people hide many facts from them. The net result is that the system can never benefit from the information, feedback and "course correction" that telling the truth could make possible.

Yes, it is difficult and expensive to intervene and to change a system, but regardless of what people are saying about the bullying, the real costs are incredibly high. Scared people make mistakes and scared people become angry people who cause passive aggressive backlash. The "behind the scenes" talk and complaining creates a negative culture that attracts the wrong kind of people, causes all of the right people to leave, and gives customers, clients, vendors and outsiders a bad impression. So for all of you who may be bullies, go back over your e-mails and rethink your conversations. Look around and

Continued on page 8

The successful client/consultant relationship

by Renee Cerullo

I have been in the consulting field for more than 10 years now. Over the years I have heard the same complaints: business owners complaining about their consultants, especially in the IT field. These complaints – many times – had something to do with a bad experience. Of course it's a consultant's responsibility to build a positive relationship with a client. But that relationship goes both ways, and that's the way to get the best results. If you treat your consultant poorly, they might put you on a lower priority, or overbill you out of resentment. A positive relationship with your consultant means getting significantly more than your money's worth. A positive, respectful attitude towards the consultant will go a long way. Below are some guidelines to help you get the best out of your relationship with a consultant.

Your consultant is not your employee – They are independent for a reason. If you think money buys the consultant or makes them subservient to you, you're at complete odds with their belief system.

You're not the only client – A consultant must balance time between you and other clients. There will be times when you want an immediate response but they're working on another deadline or dealing with an emergency for another client. In addition, a consultant will work harder when they are "on" and take time off when they feel overloaded. One day they might work 18 hours then take the next day off to rest. Therefore, be sure to inform your consultant of important upcoming projects – and deadlines – so they can prepare their schedule.

Consider the way you communicate with a consultant – In my experience in the IT field, many clients prefer to communicate through the telephone while many consultants prefer e-mail. There are many reasons consultants prefer e-mail – from having written record that phone calls cannot provide, to being able to research answers before responding. If you want the fastest, most accurate responses – at least in the IT field – try e-mail first.

Ask for everything you want – Maintain an ongoing conversation with your consultant about what you would like to see. Often what you think is difficult is actually simple

Be honest about deadlines – Time estimates and deadlines are a strange dance between clients and consultants. Clients often cut their deadlines short, hoping to get priority. Consultants underestimate how long a project will take because they are in denial about interruptions, debugging, and scope creep. The solution is to be completely open and honest about this upfront. Tell your consultant your true deadline and ask for a reasonable expectation to complete the project.

Listen to your consultant – Many clients paid for the advice but only about 20% ever listen to the advice. Remember that you hired a consultant for their expertise in a particular subject in which you needed help. If you become tempted to dismiss your consultant's advice, ask yourself if you really know more than the individual who is immersed in their field, reads all the latest news and reports, gets training, experiments with solutions and learns from the results of their work on other projects.

Give feedback whether negative or positive – Don't tell your consultant

Continued on page 8

Your one stop for *all* your travel and more!

www.FiorellaTravel.com

Why shop with a faceless Fortune 500 online travel company? Buy the same product for the same price – or better – with someone you know and trust!

Golf Packages

Caribbean Vacations

Cruise Packages

fiorellaflowers.com

* Our company is also looking for marketing reps and travel agents. If you are open to earning additional income in 2009 in the \$7 trillion per year travel industry, call Nicole Fiorella today at (716) 908-9234.

FIRST
Aurora
FINANCIAL GROUP

Karen A. Olson, CLTC
Registered Representative
LTC & Group Benefits Advisor

716.655.7600 ext. 202 Office
716.558.7515 Direct
716.655.7611 Fax
kolson@lasalle-st.com Email

634 Main Street | Suite 200 | East Aurora, New York 14052
www.firstauroragroupbenefits.com

Karen Olson is a registered representative of LaSalle St. Securities, LLC, a registered broker-dealer. Member FINRA/SIPC. First Aurora Financial Group is not affiliated with LaSalle St. Securities, LLC. Securities are offered only through LaSalle St. Securities, LLC.



Construction and Service
Solutions Corp.

Suzanne Witnauer
President

216 Main Road
Akron, New York 14001
P 716.570.1352 F 585.542.1605
www.csscbuilds.com



Take The Bullying By The Horns

watch how people act around you. We all know body language. Are people acting nervous? Are people giving you a "wide berth?" Do people withhold facts from you? For those who believe it is "not my problem," know that when it does become your problem, it will probably already be out of hand. To all who are victims of bullies, get away if you can, or stand your ground and stand up. But whether you stay and fight or go, find out why you are a victim. Is it a real "weakness" like a disability or is it a perceived weakness that your own self-esteem issues are supporting? Either way, it helps to get help from others. But it will also help to get some assertiveness training. And finally, to all of you decision makers who catch yourself saying things like, "He may be a bully, but he is the most talented person here," or "I can't make it on my own," watch out! At some point, you may be left with only the bully or a crowd of bullies attracted to a culture that seems to support or tolerate them and their behavior. Then your "shop," whether a large business, small business, or family, will be in grave danger. With bullies, it is PAY NOW OR PAY LATER, but pay you will.

My approach to bullying is to treat it as a system problem. In our seminar, TakeTheBullyingByTheHorns, on October 29 (www.TakeTheBullyingByTheHorns.com), the first thing I will say is, "It is not just the bullies. It is not just the victims. It is the system!" When most of the system wants to eliminate bullying, it works. Everyone needs to get beyond the arrogance of "But we are special and we are adults." Then, with everyone's feet on the ground, we can institute a Code of Conduct and ways to enforce it. Once everyone is on board and working in concert, miracles do happen.

NAWBO Buffalo Niagara member Amy Remmele is the owner of Peak Of Success. Her company specializes in behavioral style and personality assessments, consultation, and counseling. She can be contacted at 716-626-5977 or amy@peakofsuccess.com.

The successful client/ consultant relationship

you're happy if you're not; it's always better to clear the air and be upfront about any issues. Your consultant wants to know how you feel. On the positive side, if you are happy, compliment them. For consultants there's nothing worse than silence.

Our perspective is geared towards our needs and desires, not those of the people we hire. It's difficult to continually consider your actions and how they affect your consultant. But it's worth the effort both for your profitability (and your consultant's sanity). Follow the advice above and you'll quickly see better and faster results, as well as enjoy a better relationship with your consultant.

Chapter member and Web developer, Renee Cerullo brings us new technology each month! Contact her at Cerullo@RLComputing.com.

NAWBO Buffalo Niagara

2009/2010 board

President Nicole Fiorella	626-5520	nicole@bfisearch.com
President-Elect Laurie Albertsson	694-9302	laurie@fernwoodcapital.com
Past President Suzanne Witnauer	570-1352	suzanne@csscbuilds.com
Secretary Suzanne Novelli	817-7109	suzanne_m_novelli@glic.com
Treasurer Renee Cerullo	656-8958	cerullo@rlcomputing.com
Directors:		
Michelle Bonn	573-3855	michelle@expedienttrade.com
Kristine Buchband	667-5009	kristine.buchband@morganstanley.com
Marilyn Coté-Miller	270-3020	m.cote@humanresourcesource.com
Joyce DeLong	634-5966	jdinsty@roadrunner.com
Nancy DeTine	207-7374	nancy@nancydetine.com
Celeste DiStefano	310-5274	cmdistefano@verizon.net
Barbara Maira	634-5353	barbaram@lisahunterjewelry.com
Carolyn Valenti	204-9000	cvalenti@lvbwcpa.com
Chapter Administrator		
Marilyn Coté-Miller	270-3020	m.cote@humanresourcesource.com

2009/2010 committees

Awards Amy Remmele	626-5977	amy@peakofsuccess.com
Communications Katharine Smith	839-3696	whiterabbitdesign@roadrunner.com
Corporate & Economic Development Carolyn Valenti	204-9000	cvalenti@lvbwcpa.com
Finance Renee Cerullo	656-8958	cerullo@rlcomputing.com
Fundraising Donna Scalfaro	632-0165	donna@carpetcareservices.net
Governance Marion Kopin	839-4556	mkopin@kopin CPA.com
Membership Pat Herberger	863-6577	herberger@prepaidlegal.com
Nominations Suzanne Witnauer	570-1352	suzanne@csscbuilds.com
Program Laurie Albertsson	694-9302	laurie@fernwoodcapital.com
Public Policy Celeste DiStefano	310-5274	cdistefano@acninc.net
Scholarship Ramona L. Gallagher	882-7639	mmistymo@aol.com

Alert: There is a New Power of Attorney Law in New York

Many of you have reached a point in your life where you have signed a "Power of Attorney", giving an agent (such as a spouse or adult child) certain powers to manage your financial affairs, or conversely, you have been granted such powers by a principal (such as a spouse or parent) who has signed a Power of Attorney naming you as his or her agent. What many of you may not know, however, is that the Power of Attorney law in New York State has just been overhauled and as of September 1, 2009, there are sweeping changes you all need to know.

First, there is a new form. The old form will be accepted only if it was executed prior to September 1, 2009, and after that date, only the new form will be accepted. Regardless of when the form was executed, however, the new provisions regarding the duties and liabilities of the agent will apply.

Second, as part of the new form, the agent (the person to whom the powers are given) is required to sign the form and accept the agency, acknowledging the duties and responsibilities he or she is accepting from the principal. This was never required before.

Powers of Attorney often serve two very different purposes: management of the principal's everyday financial affairs (such as helping an aging parent with his or her bills), and reorganization or distribution of the principal's assets in connection with financial and estate planning (such as gifting the principal's assets to reduce estate taxes). The old statutory language and form was ambiguous about what power the principal actually wanted to give to the agent, and what power the agent actually had. There was much abuse with agents acting in their own self-interest and actually destroying an estate plan that the principal had set up, such as an agent taking most of the parent's money and leaving little for other siblings.

The new form and law make it very clear as to what power the principal wants to give to his or her agent, and the duties and responsibilities (and potential liability) of the agent in carrying out those instructions.

What is now very clear, is that an agent is acting on behalf of the principal, and may only act in the principal's best interest. You cannot use a power of attorney to add your name to your parent's bank account and claim that you are a joint owner in the account. You cannot change the beneficiary designation on an insurance policy or retirement account without the principal's very specific authorization to do so in a major gifts rider to the POA form. You cannot transfer property out of the principal's name without specific authorization to do so.

Another interesting provision of the new law is the requirement that if the power is given to more than one agent (i.e. Dad gave one to each of the kids), all agents must act together for every transaction (again, unless specifically stated otherwise by the principal).

Every single power enumerated in the form (both old and new) has been re-defined and clarified, so I am suggesting that everyone who has either given or been granted powers under a New York Power of Attorney become informed. Although the new form is much longer and ostensibly more complicated than the old form, it is much clearer about the protections now in place for the principal.

If you want to actually read the law, it is part of Chapter 644 of the 2008 Laws of New York State, Sections 5-1501 through 5-1514 of the New York General Obligations Law. If you have questions, you should contact your attorney, or you can call me.

Our thanks for this article go to NAWBO Buffalo Niagara member Kathryn A. Jackson. She is an Attorney at Law and can be reached at 716-565-9700 or Kathryn@kajacksonLaw.com.



**JAECKLE
FLEISCHMANN
& MUGEL, LLP**
ATTORNEYS AT LAW

Jean C. Powers
Partner
Direct Dial: (716) 250-1803
E-mail: jpowers@jaeckle.com

Centerpointe Corporate Park
400 Essjay Road, Suite 320
Williamsville, NY 14221-8228
Fax: (716) 250-1806

www.jaeckle.com
BUFFALO • AMHERST • ROCHESTER



R Computing
*Innovative Web Development
& Network Solutions*



Renee Cerullo
Web Developer, MCSE
Email: cerullo@rlcomputing.com
Phone: 716-656-8958
Fax: 1-866-375-3393

www.rlcomputing.com



Marilyn Coté-Miller
Post Office Box 1024
Amherst, NY 14226
Telephone: 716.270.3020
Facsimile: 716.270.3021
Cellular: 716.208.9548
E-mail: m.cote@humanresourcesource.com

R.W. Miller Jr.
& ASSOCIATES
www.humanresourcesource.com

Your One Source Out Sourced Human Resource Source!



Write Now! Inc.
Serving all your writing needs.

Nancy Jo Eckerson
Author & Legacy Facilitator

42 Westgate Avenue #2
Akron, New York 14001
(716) 542-6544

njeckerson@verizon.net
www.ethicalwillswyny.com

Does your business have an absenteeism plan?

by Marilyn Coté-Miller

By now, everyone has heard of the Swine Flu, more correctly known as H1N1. As an employer, you will certainly want to do what you can to minimize the impact any illness may have on your business and limit its transmission in your workplace. Much has been written, and hopefully communicated to your employees, about prevention like hand washing or sanitizing, staying home if you have flu symptoms, coughing into your elbow, etc.

Business should have an idea of what normal absenteeism is for their workplace and be aware of any abnormal increase in absenteeism. Be prepared to take aggressive action if your absentee rate escalates to where your function and productivity are threatened.

Here are some highlights from the Center for Disease Control. The complete text of their Guidance Plan can be found at <http://www.cdc.gov/h1n1flu/business/guidance/>.

1. Keep Sick Workers Home
 - a. Allow employees to stay home if ill or to care for children if child care programs close without fear of job loss.
 - b. If you are using contract employees, speak to their employer to encourage employees to stay home without punitive leave policies.
 - c. Do not require doctor's notices. Many doctor's offices may be closed or extremely busy and may not want people with flu symptoms in their offices, possible spreading the disease.
 - d. Employers may want to allow employees to stay home to take care of sick family members.
2. Insist that employees who become sick, or come to work sick, go home.
 - a. Keep them separated from other workers in the meantime.
3. Be prepared if Schools dismiss students or child care programs close.
4. Consider telecommuting options or staggered shifts to minimize employee contact.
5. Identify essential business functions and supply lines. Plan for how your business will operate if these are interrupted
6. Cross-train employees for essential functions.
7. Communicate your plan to your employees.
8. Add a "widget" or "button" to your company web page or intranet page so employees can access the latest information.
www.cdc.gov/widgets/ and
www.cdc.gov/SocialMedia/Campaigns/H1N1/buttons.html


All this information is available in greater detail at: <http://www.cdc.gov/h1n1flu/business/guidance>

NAWBO Buffalo Niagara member Marilyn Coté-Miller is co-owner of W. Miller, Jr. & Associates, a full service management consulting firm specializing in human resource management. She can be contacted at 716-270-3020 or m.cote@humanresourcesource.com.



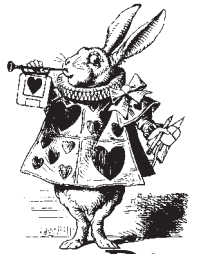
Maryann Salvadore

100 Stradtman Street
Buffalo, NY 14206
(716) 894-6845
Fax (716) 892-3345
1 (800) 277-1835
Maryann@VictoriasSweets.com



Fernwood Capital™
YOUR EQUIPMENT FINANCING PARTNER

15 Webster St. ■ N. Tonawanda NY 14120
Laurie Albertsson
p 716.694.9302 ext. 15
laurie@fernwoodcapital.com



**WHITE RABBIT
DESIGN**

MARKETING MATERIALS
CORPORATE IDENTITY
NEWSLETTERS
CATALOGS

(716) 839-3696
whiterabbitdesign@roadrunner.com