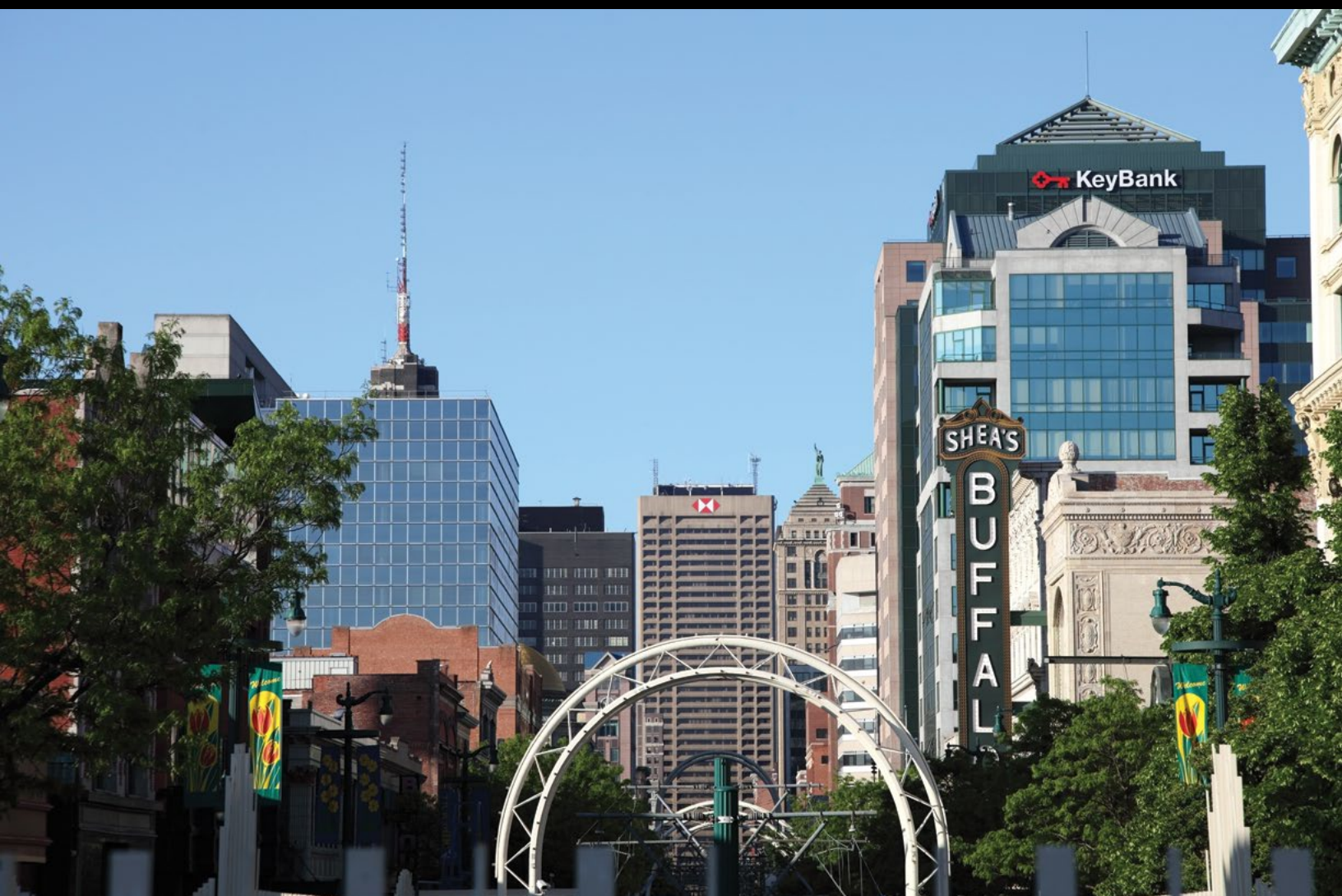




NEW YORK STATE BAR ASSOCIATION

LOCAL AND STATE GOVERNMENT LAW SECTION



Fall Meeting 2018 September 28-29, 2018

The Westin Buffalo
250 Delaware Ave., Buffalo, NY 14202

www.nysba.org/LSGLFall18

Local and State Government Law Section Chair

Richard Zuckerman, Esq., Lamb & Barnosky, Esq., Melville

Program Co-Chairs

James D. Bilik, Esq., Arbitrator & Mediator, Albany

Darrin B. Derosia, Esq., New York State Office of General Services, Albany

Lauren M. Trialonas, Esq., Squire Patton Boggs LLP, New York

8.0 Total MCLE Credits

Under New York's MCLE rule, this program has been approved for a total of 8.0 MCLE credits consisting of 5.5 Professional Practice, 1.5 Ethics, and 1.0 Diversity, Inclusion and Elimination of Bias (1.5 credits - 1.0 Professional Practice and .5 Ethics - are Transitional and are suitable for newly admitted attorneys). The rest of the program is non-transitional and therefore cannot be used to fulfill MCLE requirements for newly admitted attorneys.



Hotel Information

The Westin Buffalo | 250 Delaware Ave. | Buffalo, NY 14202

Hotel Rooms: \$169 a night

Book your hotel room online today!: [https://www.starwoodmeeting.com/Book/](https://www.starwoodmeeting.com/Book/NewYorkStateBarAssnRoomBlk2018)

NewYorkStateBarAssnRoomBlk2018 or call The Westin Buffalo at 716-858-5900 (Mention the New York State Bar Association Room Block to receive the discount)

Reservation deadline is Thursday, September 13, 2018.

SCHEDULE OF EVENTS

Friday, September 28

11:30 a.m.	Registration in Foyer on 2nd floor meeting space
12:30 – 2:00 p.m.	CLE for Transitional Credit (Experienced Attorneys Also Welcome!) Introductions – Program Co-Chairs
12:30 – 1:00 p.m.	NYS Freedom of Information Law (FOIL) Basics (0.5 credits in Professional Practice, Transitional Credit)
Speaker:	Chris G. Trapp, Esq. , Greco Trapp, PLLC, Buffalo
1:00 – 1:30 p.m.	Notice of Claim Basics (0.5 credits in Professional Practice, Transitional Credit) This presentation will examine the purpose, proper procedure, and critical nature of the Notice of Claim pursuant to General Municipal Law § 50-e. The presentation will look at the Notice of Claim from the perspective of the Plaintiff and the Municipality.
Speaker:	John Campolieto, Esq. , Municipal Attorney, City of Rochester
1:30 – 2:00 p.m.	Ethical Issues for New Public Sector Attorneys – Reliance on a Supervisor’s Resolution of a Question of Professional Duty (0.5 credits in Ethics, Transitional Credit) Using relevant NYSBA Ethics Opinions, this presentation will address the situation where a subordinate lawyer is directed by a supervising lawyer to act in a manner that raises ethical concerns for the subordinate lawyer.
Speaker:	James D. Bilik, Esq. , Arbitrator and Mediator, Albany
2:00 – 5:30 p.m.	General Session
2:00 – 2:10 p.m.	Welcoming Remarks Introductions – Program Co-Chairs
2:10 – 2:35 p.m.	Update from the State’s 2018 Legislative Session (0.5 credits in Professional Practice) This presentation will review significant legislation that was enacted in the past legislative session, with particular focus on legislation that impacts municipalities. We will also discuss initiatives that did not pass this time around, but may be brought up again in the near future.
Speaker:	Charles W. Malcomb, Esq. , Partner, Hodgson Russ LLP, Buffalo
2:35 – 3:25 p.m.	Recent Federal Tax Law Changes and Federal Tax Hot Topics for Municipalities and State Government, Including Remedial NYS Legislation (1.0 credits in Professional Practice) This presentation will focus on the effects of the recently enacted Tax Cuts and Jobs Act (TCJA) on municipalities and state government, including remedial New York State legislation. This presentation will also highlight some of the common federal tax law issues for tax-exempt bond financing, including private business use, post issuance compliance, IRS initiatives, and more.
Speaker:	Marla Waiss, Esq. , Partner, Hodgson Russ LLP, Buffalo
3:25 – 3:40 p.m.	Refreshment Break
3:40 – 4:30 p.m.	SEQRA – 2018 Amendments (1.0 credits in Professional Practice) This presentation will cover the 2018 amendments to the regulations that implement the State Environmental Quality Review Act.
Speakers:	Lawrence H. Weintraub, Esq. and Thomas J. King, Esq. Office of General Counsel, NYS Department of Environmental Conservation, Albany

SCHEDULE OF EVENTS

4:30 – 5:20 p.m.

A Half Century of Home Rule in New York (1.0 credits in Professional Practice)

In an era of gridlocked partisanship, local governments are emerging as sites of innovative and forward-looking policy making. But despite the adoption of “Home Rule” in New York, the power of its cities and other localities remains uncertain. This presentation examines the current state of Home Rule in New York, and what it means for state-local relations and the future of local democracy.

Speaker:

Rick Su, Professor of Law, University at Buffalo School of Law

5:20 – 5:30 p.m.

Closing Remarks

5:30 – 6:30 p.m.

Please join us in Courtyard for a reception.

Dinner is on your own tonight.

Saturday, September 29

8:00 a.m.

Continental Breakfast

9:00 a.m. – 12:00 p.m.

General Session

Welcoming Remarks

Introductions – Program Co-Chairs

9:10 – 10:00 a.m.

Latest Developments on Sexual Harassment and Discrimination in the Public Workplace and the Effects of the #MeToo Movement (1.0 credits in Diversity, Inclusion and Elimination of Bias)

The #MeToo movement has had an impact on all employers including public sector employers. As a result, New York State passed sexual harassment legislation in 2018 applicable to all employers, including public employers in New York State. This session will address the new legislation and its requirements, the role of attorneys in recommending and developing best practices for sexual harassment and discrimination policies, training, handling and investigating claims, settlements and settlement agreements, as well as discussion about how the #MeToo movement has affected the workplace. Finally, this session will briefly discuss the Stop Sexual Harassment in NYC Act.

Speakers:

Kristin Klein Wheaton, Esq., Partner, Goldberg Segalla LLP, Buffalo

Lindy Korn, Esq., The Law Office of Lindy Korn, PLLC, Buffalo

Moderator:

Lise Gelernter, Arbitrator and Faculty, University at Buffalo School of Law

10:00 – 10:10 a.m.

Refreshment Break



SCHEDULE OF EVENTS

10:10 – 11:00 a.m.

Janus and Beyond: The Demise of Agency Fees (1.0 credits in Professional Practice)

This presentation will analyze the impacts of the United States Supreme Court's decision in *Janus v. AFSCME Council 31*, which struck down "fair share fees", better known in New York State as "agency fees" under the Taylor Law, as being unconstitutional on First Amendment grounds. The session will also discuss the obligations of municipal employers under new State legislation, signed by Governor Cuomo on April 12, 2018, which seemingly is intended to protect the public sector unions, and their dues revenue stream, in light of the expected effects of *Janus*.

Speakers:

John F. Corcoran, Esq., Partner, Hancock Estabrook, LLP, Syracuse

Judith Crelin Mayle, Esq., Thomas, Drohan, Waxman, Petigrow and Mayle, LLP, Hopewell Junction

11:00 – 11:50 a.m.

Ethical Issues for Public Sector Attorneys in NYS, Including the Limitations on Attorney-Client Privilege for State and Local Government Lawyers (1.0 credits in Ethics)

Attorneys in the public sector are bound by special ethical rules in addition to those rules binding on all attorneys. This session will address the special ethical responsibilities of government lawyers under the New York Rules of Professional Conduct, focusing on such issues as: limitations on lawyers' speech, limits on the attorney-client privilege for government lawyers during investigations into the government client's conduct, and conflicts of interest for former private sector attorneys and for government lawyers moving into the private sector.

Speaker:

James G. Milles, Professor of Law and Vice Dean for Undergraduate Studies, University of Buffalo School of Law

11:50 a.m. – 12:00 p.m.

Closing Remarks

12:00 – 1:00 p.m.

Executive Committee Meeting

CLE INFORMATION

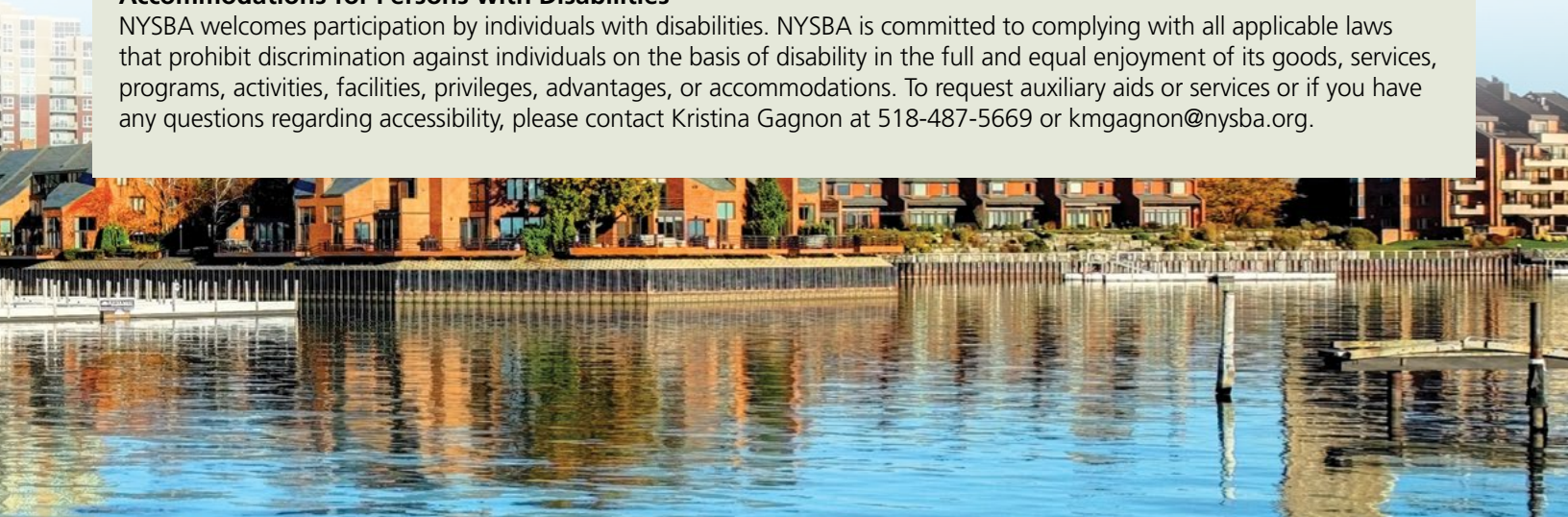
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Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Kristina Gagnon at kmgagnon@nysba.org.

Accommodations for Persons with Disabilities

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Kristina Gagnon at 518-487-5669 or kmgagnon@nysba.org.



THINGS TO DO

Shea's Performing Arts Center (originally Shea's Buffalo)
646 Main Street, Buffalo, NY
Charlie and the Chocolate Factory, September 21-29, 2018
www.sheas.org

Buffalo Philharmonic Orchestra
Tchaikovsky's Piano Concerto, September 29, 2018 at 8:00 p.m.
<https://bpo.org/>

MusicalFare Theatre
4380 Main Street #123, Amherst, NY
PumpBoys and Dinettes, September 5, 2018 - October 7, 2018
<https://musicalfare.com/>

Alleyway Theatre
1 Curtain up Alley, Buffalo, NY
Philosophus, September 13- October 6, 2018 (Thursdays-Saturdays at 7:30pm)
<http://alleyway.com/>

Irish Classical Theatre Company
625 Main Street, Buffalo, NY
Golden Boy, September 14 – October 7, 2018
<http://irishclassical.com/>

Road Less Traveled Theater
500 Pearl Street, Buffalo, NY
Hand to God, September 27-30, 2018
<https://roadlesstraveledproductions.org/>

Helium Comedy Club
30 Mississippi St., Buffalo, NY
<https://www.heliumcomedy.com/>

Albright-Knox Art Gallery
1285 Elmwood Avenue, Buffalo, NY
<https://www.albrightknox.org/>

Burchfield Penney Art Center
1300 Elmwood Avenue, Buffalo, NY
<https://www.burchfieldpenne.org/>

Seneca Buffalo Creek Casino
1 Fulton St., Buffalo, NY
<https://senecabuffalocreekcasino.com/>

Buffalo Transportation Pierce Arrow Museum
263 Michigan Avenue, Buffalo, NY
<http://www.pierce-arrow.com/>



NEW YORK STATE BAR ASSOCIATION

Local and State Government Law Section Fall Meeting – Registration Form

September 28-29, 2018 | The Westin Buffalo | 250 Delaware Ave., Buffalo, NY 14202

Name: _____ Email: _____ Phone: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

REGISTRATION FEES

Check Here if You Are A First Time Attendee ☐

Section Member Registration Fee:

\$240.00 per attorney \$ _____

Section Member Friday Only

Registration Fee: \$125.00 per attorney \$ _____

Section Member Admitted 5 years or less

Registration Fee: \$140.00 per attorney \$ _____

NYSBA Member Registration Fee:

\$275.00 per attorney \$ _____

NYSBA Member Admitted 5 years or less

Registration Fee: \$175.00 per attorney \$ _____

Non-NYSBA Member Registration Fee:

\$375.00 per attorney \$ _____

NYSBA Member Friday Only

Registration Fee: \$160.00 per attorney \$ _____

Non-NYSBA Member Friday Only

Registration Fee: \$225.00 per attorney \$ _____

ACTIVITIES

Friday Lunch & Friday Reception

_____ Registered attorney requesting box lunch.

_____ Number of Additional Box Lunches for Spouse/Guest/Children.
*\$20/guest

_____ Number of Guests attending Friday's Reception *\$40/guest

HOTEL ACCOMMODATIONS

Book your hotel room directly with The Westin Buffalo. Call 716-858-5900 and **mention NYSBA room block** to get group rate of \$169 per night. The group rate will be available until **September 13** or until the group block is sold out, whichever comes first

CANCELLATION NOTICE

Notice of cancellation must be received by **September 14, 2018** in order to obtain a refund of registration fees.

ATTORNEY REGISTRATION FEE INCLUDES

MCLE Programming and costs associated with programming, all coffee breaks, box lunch on Friday and reception on Saturday.

PAYMENT INFORMATION

☐ Check or Money order enclosed. (Make checks payable to New York State Bar Association)

☐ Charge \$ _____ to:

☐ American Express ☐ Discover

☐ MasterCard ☐ Visa

Card number: _____

Expiration date: _____

Authorized Signature: _____

Fax or mail this form with registration fee(s) to:

Kristina Gagnon, Section Liaison
New York State Bar Association
One Elk Street, Albany
New York 12207
Phone: 518.487.5669
Fax: 518.463.5993
Email: kmgagnon@nysba.org





NEW YORK STATE BAR ASSOCIATION
LOCAL AND STATE GOVERNMENT LAW SECTION
One Elk Street, Albany, NY 12207

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Local and State Government Law Section

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Register now!

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8.0 MCLE Credits
5.5 Areas of Professional Practice
1.5 Ethics
1.0 Diversity, Inclusion and Elimination of Bias
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