



Council of Industry Newsletter

September 2012

Volume 16

Issue 8

Fun in the Sun (and Rain) at Council Golf Outing

Even the rain could not dampen the high spirits of those Council of Industry members attending the 2012 CI Golf Outing on Monday, August 27th at the Powelton Club in Newburgh. The event proved to be a memorable one and as always great fun for everyone in attendance. The festivities kicked off with a delicious lunch sponsored by **Joe Pietryka, Inc.** sunny skies, and talk of the possibility of an isolated thunder storm shaking up the day. Then ten holes into the round the skies opened up and rain poured down. Many in attendance headed to the club house but the hardy team from Balchem Corp. played on and received a prize for their perseverance. Back at the clubhouse, the decision made to shorten the event, the rest of the foursomes enjoyed early cocktails sponsored by **Schatz Bearing Corp.**



Winners of the Council Cup: Jeff Papo (HV Shred), Amy King (Council of Industry), Mary Ellen Rogulski and Fran Melder (Orange County Trust Company).

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Hudson Valley Manufacturing Conference: Helping The New York State Manufacturing Sector Grow

Manufacturers throughout the Hudson Valley are invited to attend the second annual Hudson Valley Manufacturing Conference on Friday, September 21 at Mount St. Mary College in Newburgh, NY from 8:00 am to 1:00 pm. This year's discussion topic is Helping the New York State Manufacturing Sector Grow – 2012 and Beyond. Key speakers will be Dr. Willard R. Daggett, Ed.D., founder of the International Center for Leadership in Education providing information on Building the Workforce of Tomorrow and Joanne Wright, Vice President of Global Manufacturing, IBM Corporation, on Developing a Modern Integrated Supply Chain. There is no cost to attend but advance registration is requested and space is limited. Lunch will be provided. To register go to www.councilofindustry.org/seminairs.



Dr. William R. Daggett.

This year's conference will address the skills and knowledge needed for success in today's technology-based manufacturing sector and how they differ from those needed in the past. Unfortunately, schools have been slow to respond to these needed changes. They have been consumed by a culture that has perpetuated the belief that the goal of K-12 education is simply to prepare students for college. The skills needed for success in the workplace have largely gone unaddressed.

A new set of education standards (Common Core State Standards) and assessments (Next Generation Assessments) will change the way schools in the 45 states that have adopted them so far, prepare students for life after high school.

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Training and Education

Regulatory Compliance Training Starts Soon—Sign Up Now!

Regulatory Refresher Trainings are being held this Fall, sign up now while there are still seats available. For more details on who should take these courses and what is covered in each see the enclosed flier or go to http://www.councilofindustry.org/training/category_courses.html#regulatory . Call (845) 565-1355 or e-mail training@councilofindustry.org with questions or to register.

DOT HAZARDOUS MATERIALS TRAINING

Dates: September 20, 2012 **Time:** 8:30 am—12:30 pm **Location:** Chemprene, Beacon, NY

Cost: \$120 single member, \$110 each 2 or more from same company

RCRA HAZARDOUS WASTE TRAINING

Dates: October 4, 2012 **Time:** 8:30 am—12:30 pm **Location:** Chemprene, Beacon, NY

Cost: \$120 single member, \$110 each 2 or more from same company

HAZWOPER

Dates: October 18, 2012 **Time:** 8:30 am—4:30 pm **Location:** To Be Determined*

Cost: \$240 single member, \$220 each 2 or more from same company

*Dates and locations are subject to change based on availability.

10 HOUR OSHA TRAINING

Dates: November 1 & 2, 2012 **Time:** 8:00 am—1:00 pm **Location:** To Be Determined

Cost: \$120 single member, \$110 each 2 or more from same company

*Dates and locations are subject to change based on availability.



To register go to

http://www.councilofindustry.org/training/category_courses.html
or e-mail training@councilofindustry.org
or call

(845) 565-1355

Manufacturing Conference continued from front page

The mission statement for the Common Core State Standards explains that they will provide a consistent, clear understanding of what students are expected to learn, so teachers and parents know what they need to do to help them. These standards are designed to be robust and relevant to the real world, reflecting the knowledge and skills that our young people need for success in college and careers. The goal of these new standards and assessments is to ensure that students are fully prepared for the future so that our communities will be best positioned to compete successfully in the global economy.

Dr. Willard R. Daggett, one of the primary architects of the new standards and assessments, will describe how that change will impact our schools and better prepare students for our changing workplace and society. He will then describe how we as manufacturers can assist school leaders to address these important changes in our schools. Dr. Daggett is recognized worldwide for his proven ability to move pre K-12 education systems towards more rigorous and relevant skills and knowledge for all students.

In addition, manufacturers will hear from Joanne Wright, VP of Global manufacturing at IBM presenting on sustainable supply chains and IBM's ongoing efforts to source products, services and materials in a manner that considers all costs including environmental costs, quality, reliability and security.

The Second Annual Manufacturing Summit is presented by The Mid-Hudson Center for Global Advanced Manufacturing (CGAM)

which is a partnership of The Council of Industry, The Hudson Valley Technology Development Center, TSEC, Mount St. Mary College, and the SUNY Institute of Technology. The event is made possible by the hosts, Mount St. Mary College and (via virtual link) SUNY Institute of Technology and the sponsors Rhinebeck Bank and Marshall & Sterling Insurance .

To register follow this link: www.councilofindustry.org/seminars, or for more info contact Harold King at hking@councilofindustry.org or call (845) 565-1355



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Council News

Stormwater Regulations and Permits will be Topic of October EHS Sub-council Meeting

Topic: Stormwater Regulations and Permits

When: Friday, October 26th, 8:30—10am

Where: The Chazen Companies, Poughkeepsie, NY

Cost: None for Members

Many facilities will soon face a 90-day deadline to update or secure their Industrial Stormwater Permits. On or before September 30th, 2012, the New York State Department of Environmental Conservation (NYSDEC) is expected to release its new 5-year Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity (GP-0-12-001). The prior GP-0-06-002 permit expired in March 2012, but NYSDEC issued a 6-month interim permit period (GP-0-11-009) so they could revise the MSGP program. Assuming the permit format is finalized as planned, facilities will soon have just 90 days to obtain coverage, plus 30 days to meet their new permit requirements.

This presentation by Kim Cuppett, The Chazen Companies, will cover the changes to the permits and what companies must do to meet the new requirements. Facilities engaged in any of the categories of industrial activities defined in 40 CFR 122.26 (i-ix) and (xi) must obtain permit coverage for stormwater discharges to waters of the United States. Copy this CFR listing into your computer browser to review the industry list and determine if you are included.

For more info see the article on page 8.

To go to: <http://www.councilofindustry.org/council-networks/environmental-health-safety.html> or register contact Alison Butler at abutler@councilofindustry.org or call (845) 565-1355.

Welcome New Members:

Café Spice - Food processing. Orange County.
Contact: Payal Malhotra

Deerpark 1 Environmental Services Inc.- Environmental health and safety consultants. Orange County. Contact: Joanne Vicaretti

HR Sub-council September Meeting: Preparing for a DOL Visit

Topic: Keeping the DOL at your door and not at your dinner table

When: Friday, September 28th, 8:30—10am

Where: The Council of Industry Offices, The Desmond Campus, Mount St. Mary College, Newburgh, NY

Cost: None for Members

This presentation by Ken Dwyer, PHR, Client Support Manager at Staffline, is geared to inform businesses of the proper labor postings, required employee documents (Federal and State), job applications etc.

Some items that will be covered include:

- File Preparation
- Job Applications
- Wage and Acknowledgement Form Section 195
- What a Typical File Looks Like
- Required Filing Timelines
- I-9 Form
- Direct Deposit Form
- Wage Theft Protection Act Section 195.1
- Labor Posters
- Time Sheets/ Clocks/Paychecks
- Vendor Compliance
- DOL Visit



To register go to: <http://www.councilofindustry.org/council-networks/humanresources.html> or contact Alison Butler at abutler@councilofindustry.org or call (845) 565-1355.

	Greg Chartier, Ph.D., SPHR
<ul style="list-style-type: none"> • Virtual Human Resources • HR Outsourcing • Talent Acquisition • HR Planning & Forecasting • Organizational Effect 	<p>Post Office Box 04 Maryknoll, NY 10545</p> <p>914.548.1689 914.941.1667 fax</p> <p>greg@HRinfo4U.com www.HRinfo4U.com</p>

Personnel Matters

How to Deal with Employee Skills Gaps at Your Company

By Gordon McAleer, President, McAleer & Associates, A Council of Industry Associate Member

The fundamental question to ask and answer is does the employee have the potential to come up to steam and the motivation to do this. If the answer is yes, then the leader can work out a plan for helping the employee gain the necessary skills.

What does the leader do when an employee's performance is falling short? Motivated, skilled workers remain in high demand in the manufacturing sector in spite of high overall unemployment. Effective employee performance is essential to overall productivity and profitability.

If an employee's underperformance is a new situation, then it is time to diagnose the underlying causes. The vast majority of employees come to work with the motivation to do a good job. There is the occasional employee just does not have the right attitude and commitment to be a good fit for the company and should be removed, ideally during the initial probation period. If the cause is behavioral, then the leader needs to have a heart to heart conversation with the employee and point out the decline in performance and the impact this may have on continued employment.

If the leader's diagnosis concludes that the cause of under par performance is lack of skills, then there are certain possible actions. The fundamental question to ask and answer is does the employee have the potential to come up to steam and the motivation to do this. If the answer is yes, then the leader can work out a plan for helping the employee gain the necessary skills. At this point it is critical to communicate with the employee and be very specific as to where the skills deficiencies are and what needs to be done to correct them.

One option is to have the employee work with a highly skilled peer under a structured preceptorship for a given period of time. The preceptor can then demonstrated explicitly how to get the job done. Another alternative is to have the employee receive supplemental training. Local community colleges and trade schools offer skills enhancement programs. The Council of Industry is a source for some skills development. Also, there are a myriad of educational programs available on line.



One option is to have the employee work with a highly skilled peer under a structured preceptorship for a given period of time.

You should inventory these sources of training and measure their effectiveness. The last thing you want to happen is to invest your time energy and resources by sending your employee to a program that disappoints both you and the employee. Tests and metrics are available to do this. The before and after test results will indicate if the employee is picking up the skills needed. Testing instruments are available on line or through industrial psychological services.

Throughout the process clear communications with the employee are essential. It is the role of the leader to be forthright with the employee on the shortfall of skills, explaining precisely where performance is falling short. The enlightened leader will make the effort to coach the employee through the skills enhancement process. Of course the old adage is "you can lead the horse to water, but you can-

not make him drink." It is still incumbent on the employee to show the motivation to work on his or her plan to improve the skills.

McAleer & Associates is an associate member of the Council of Industry and is a professional and executive recruiting firm that has been serving the needs of business for securing top talent for over eighteen years. The firm has the exclusive endorsement of CI. Council of Industry members that use McAleer & Associates are eligible for a 25% discount of recruitment fees. Professionalism, confidentiality, and timely results are assured.

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LENDER



More Personnel Matters

EEOC Issues New Guidance Concerning Employment of Veterans with Disabilities

By Diane Pietraszewski, an associate of Bond, Schoeneck & King, PLLC, a Council of Industry Associate Member

The Equal Employment Opportunity Commission (EEOC) recently issued two pieces of revised guidance focusing on the employment rights of disabled veterans under the Americans with Disabilities Act (ADA). One of the documents, titled "Veterans and the Americans with Disabilities Act: A Guide for Employers," is directed at employers. The other document — "Understanding Your Employment Rights Under the Americans with Disabilities Act: A Guide for Wounded Veterans" — is designed to assist veterans.

Guidance for employers

The guidance for employers outlines the legal and practical issues associated with disability-based discrimination against wounded veterans. In summary, the guidance includes the following provisions.

It provides a general overview of protections under the ADA and the Uniformed Services Employment and Reemployment Rights Act (USERRA), including the standard for determining which service-connected disabilities constitute disabilities under the ADA.

It notes that employers may ask applicants to voluntarily self-identify as a "disabled veteran" when they are (1) "undertaking affirmative action because of a federal, state, or local law (including a veterans' preference law) that requires affirmative action for individuals with disabilities" or (2) "voluntarily using the information to benefit individuals with disabilities, including veterans with disabilities."

The guidance explains the steps you should follow when asking applicants to self-identify as a "disabled veteran" for affirmative action purposes. Specifically, the guidance urges an employer to provide clear and conspicuous notification on any written questionnaire or to otherwise clearly state that (1) "the information requested is intended for use solely in connection with its affirmative action obligations or its voluntary affirmative action ef-

forts" and (2) "the specific information is being requested on a voluntary basis, . . . will be kept confidential in accordance with the ADA, and . . . will be used only in accordance with the ADA." Additionally, the notice must state that refusal to provide the requested information will not subject the applicant to any adverse treatment.

It discusses preferential treatment that may be given to veterans with disabilities by public and private employers. Specifically, federal agencies may — and at times, must — give preference to veterans (with and without disabilities) in making hiring decisions. Additionally, federal law requires that businesses with federal contracts of \$25,000 or more take affirmative action to employ and advance qualified disabled veterans. Further, the guidance states that private employers may (but aren't required to) give preferential treatment to veterans with disabilities.

The guidance also suggests steps an employer may take to recruit and hire veterans with disabilities, including, but not limited to, (1) "stating on a job advertisement or vacancy announcement that it is an equal opportunity employer and that individuals with disabilities, including 'disabled veterans' or veterans with service-connected disabilities, 'are encouraged to apply,'" (2) "sending vacancy announcements to, and asking for referrals from, government, community, military organizations, and One Stop Career Centers that train and/or support veterans with disabilities," and (3) "posting advertisements and vacancy announcements in publications for veterans."

**Continued
on page 15**



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Legislative Matters

"Unless Congress acts, proposed tax increases slated for the end of the year will cripple manufacturers' competitiveness and economic growth."

Elections in the Spotlight

By Ned Monroe, NAM senior vice president, external affairs

With only a few months until the November elections, the national spotlight is shining squarely on manufacturing. And why not? Manufacturing continues to outpace every other sector in terms of economic growth.

Policymakers and candidates running for office are all talking about manufacturing. The President mentioned manufacturing policy 15 times in his State of the Union Address to Congress and continues to highlight our industry as he seeks re-election. And at the recent National Association of Manufacturers' (NAM) Manufacturing Summit, House Majority Whip Kevin McCarthy (R-CA), Minority Whip Steny Hoyer (D-MD) and Sen. Bob Corker (R-TN) all agreed that a healthy and robust manufacturing sector is vital in continuing to lead the United States out of the recession.

There is much at stake this election year. Unless Congress acts, proposed tax increases slated for the end of the year will cripple manufacturers' competitiveness and economic growth. Energy overregulation will prevent manufacturers from utilizing all of our nation's energy resources and increase energy costs. While manufacturers are working to close the skills gap, many manufacturing jobs continue to go unfilled due to a lack of skilled talent. If manufacturing is going to continue to lead the economic recovery, we need pro-growth, pro-business policies.

The 2012 Democratic and Republican National Conventions are right around the corner, where the presidential nominees will lay out their respective policy frameworks. In addition, voters will elect 435 U.S. representatives, 33 U.S. senators, 11 governors and countless state and local leaders. As these candidates hit the campaign trail, there's no doubt about it—manufacturing will be front and center of their proposed agendas.

Rarely does an industry have center stage on its top issues the

way manufacturing does right now. This is an historic opportunity for NAM members, as 12 million men and women who work in manufacturing will see candidates for government office all across the country debate

our top priorities. We must capitalize on this focus to promote our legislative platform. As manufacturers, we are on the verge of a manufacturing renaissance, but changes in government policies, regulations and proposed legislation that hinder job growth, economic prosperity and global competitiveness must be made. That's why we need your help—now.

With all the positive momentum and only a few months until the elections, it is critical to begin engaging with your employees and implementing educational efforts and programs so that they are well informed when they cast their ballots.

Visit the NAM's Election Center at www.namelectioncenter.org to find useful resources and Election Day.

First, members of Congress will be home in August for recess and in full campaign mode. This is a great opportunity to invite elected officials and candidates to your facility for a tour, give them the chance to meet your employees and with discuss the issues that are at the forefront of policy debates.

Second, provide easy-to-find election resources for your employees. Set up a page on your company's intranet or employee-only website to promote voter participation and organize voter registration drives. Provide your employees links to websites, such as the NAM's Election Center, for information on voter registration, absentee ballots and locations of polling places.



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EHS Matters

Tips for a Surprise Regulatory Inspection

By Scott D. Nostrand, P.E., Senior Vice President - Environmental Engineering, Barton & Loguidice, PC,
A Council of Industry Member

Editor's Note: A Council of Industry member recently received a surprise EPA inspection, prompting us to ask fellow CI member Barton & Loguidice, PC to give our readers some tips to help be prepared for this type of visit.

Both NYSDEC and USEPA conduct random inspections at facilities to ascertain your compliance with various regulatory programs. These inspections may be conducted by Department and Agency technical staff, enforcement officers or consultants. The inspections are typically focused to one regulatory area (e.g. petroleum bulk storage – underground tanks), but occasionally are broad spectrum. Regulatory programs that have been subject to inspections in New York in recent years include, but are not limited to:

- Air Compliance – Title V and State Facility Permitting
- PBS – Petroleum Bulk Storage
- CBS – Chemical Bulk Storage
- Oil Pollution Prevention – Spill Prevention Control and Countermeasure Plans
- RCRA – Hazardous Waste
- SPDES – Stormwater and Industrial
- EPCRA - Community Right to Know; MSDS



When your front office receives a phone call announcing an upcoming regulatory visit, or someone walks through the front door for an unannounced inspection, there are several things to keep in mind that will help in obtaining a satisfactory inspection. The following tips can help make an inspection a less stressful time:

Be Polite and Cooperative (the State and/or Federal Inspector has the legal authority to visit your facility)

Be Knowledgeable (Ask what they are there to inspect, and what areas are not within their inspection mandate)

Be Responsible (Know who at your facility has technical responsibility for the regulatory program that the inspector is reviewing, and provide access to that person if possible)

Be Truthful (Answer their questions with honesty, and if you do not know, say so)

Be Organized (Know the location of hard copy and online documents (e.g. Spill Plans, Permits, Inspection Forms and Records). The easier you can make the inspectors job, the better the outcome usually is)

Be Accepting (Even a well managed facility will likely obtain some demerits. It is very difficult to maintain 100% compliance, although that should be your goal).

Be Smarter (Learn from the inspection results, and decide how to improve your compliance performance for the future).

Regulatory Agencies use inspections as a compliance tool, to ascertain the regulated communities' compliance status, and as an educational process. Yes, sometimes an inspection results in Notice of Violations, Fines and Consent Orders, but a well managed facility, with knowledgeable staff that have learned the regulatory programs can avoid such enforcement penalties. A polite and organized staff can make the inspectors visit smooth, and minimize an air of distrust.

If the thought of an inspection is disconcerting, and you are not sure who you would have meet with the inspectors, or if you question your level of compliance in the different regulatory programs, you may want to consider conducting a limited or full-scale regulatory compliance audit. An audit is conducted by professionals that you engage, on your time, in order to review and check your compliance status. An audit will result in a corrective action plan, to help you bring your environmental programs into compliance, so that when a regulatory inspector comes to visit, you can show them your facility and operation with pride and confidence that no major concerns are present.

While an inspection is not a common day event, they do and will happen, and the next knock could be at your door.

Barton & Loguidice provides environmental consulting in all major regulatory programs for clients throughout New York and other States.



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More EHS Matters

This permit is primarily for facilities in specific SIC codes which store materials outdoors where contact with stormwater is possible. And, even if your activities and materials are protected from precipitation, facilities in these SIC categories must still file a No Exposure Exclusion submittal every five years.

NYSDEC Soon to Release Details of New General Industrial Stormwater Permit

By Kim Cuppett, The Chazen Companies, A Council of Industry Member

Many facilities will soon face a 90-day deadline to update or secure their Industrial Stormwater Permits. On or before September 30th, 2012, the New York State Department of Environmental Conservation (NYSDEC) is expected to release its new 5-year Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity (GP-0-12-001). The prior GP-0-06-002 permit expired in March 2012, but NYSDEC issued a 6-month interim permit period (GP-0-11-009) so they could revise the MSGP program. Assuming the permit format is finalized as planned, facilities will soon have just 90 days to obtain coverage, plus 30 days to meet their new permit requirements.

If you already have an industrial stormwater permit, you know the basic requirements: This permit is primarily for facilities in specific SIC codes which store materials outdoors where contact with stormwater is possible. And, even if your activities and materials are protected from precipitation, facilities in these SIC categories must still file a No Exposure Exclusion submittal every five years.

The proposed new permit format will have several major changes. These include:

- A new menu of Best Management Practices (BMPs) to select from,
- Additional monitoring requirements if benchmark or numeric effluent sampling limits are exceeded,
- Revision of the mercury monitoring requirements,
- Lower benchmark monitoring cutoff concentrations for specific industries, and
- New MSGP coverage for construction activities at mines and landfills.



Is your facility required to have an industrial stormwater permit?

Facilities engaged in any of the categories of industrial activities defined in 40 CFR 122.26 (b)(14) (i-ix) and (xi) must obtain permit coverage for stormwater discharges to waters of the United States. Copy this CFR listing into your computer browser to review the industry list and determine if you are included.

If your facility is required to obtain coverage, you may choose between two types of industrial permits issued under the program: 1) an individual industrial SPDES permit that authorizes and limits your specific facility discharges or 2) your industry-specific MSGP. Under either path, you will need to prepare an industrial sector Stormwater Pollution Prevention Plan (SWPPP) and then submit a Notice of Intent (NOI) at least 30 days before you implement your SWPPP.

And again, even if your industrial materials and activities are completely protected to prevent exposure to rain, snow, snow melt and/or runoff, you must still provide certification that your activities are not exposed to stormwater by using the No Exposure Exclusion.

Many industries will complete their own submissions and some will hire consultants. If you would like assistance understanding whether this regulation applies to your business, Kim Cuppett at the Chazen Companies would be pleased to speak with you, at 845-249-5213, or kcuppett@chazencompanies.com

Manufacturing Job Opportunities

If you have job openings and positions to fill:

- Post it on the Council of Industry Website www.councilofindustry.org
- Look at resumes from our member recommended **For Hire page**

Contact Alison at
abutler@councilofindustry.org
for more info.



CI Calendar of Training and Events

Sept 20	<u>DOT Hazardous Materials Training</u> – 8:30 am –12:30 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member.
Sept 21	<u>The 2nd Annual Hudson Valley Manufacturing Conference: Helping the New York State Manufacturing Sector Grow - 2012 and Beyond</u> –8:00 am – 1:00 pm at Aquinas Hall, Mount St. Mary College, Newburgh, NY. Lunch is provided. Cost: Free, but register now because seating is limited.
Sept 28	<u>HR Sub-council: Keeping the DOL at Your Door and Not at Your Dinner Table</u> – 8:30—10:00 am at the Council of Industry Office, Newburgh, NY. This presentation is geared to inform businesses of the proper labor postings, required employee documents (Federal and State), job applications etc. No cost for members.
Oct 4	<u>RCRA Hazardous Waste Training</u> – 8:30 am –12:30 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member.
Oct 18	<u>HAZWOPER Training</u> – 8:30 am – 4:30 pm at a location TBD. Cost to attend:\$240 single member, \$220 each two or more from the same company, \$260 for a single non-member. Subject to change based on availability.
Oct 26	<u>EHS Sub-council meeting: Stormwater Regulations and Permits</u> –8:30—10:00 am at the Chazen Companies, Poughkeepsie NY. No cost for members.
Nov 1,2	<u>10 Hour OSHA Course</u> – two days, 8:00 am –1:00 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member. Subject to change based on availability.

***You can find more information on the courses and events listed in our calendar by going to our website—
www.councilofindustry.org or if you are reading our electronic version just press Ctrl and click the course title.***

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Manufacturing Matters

Financing Available to Reduce Waste Streams

By Ross Topliff, Principal at Tops Engineering, Council of Industry Associate Member

Is your company generating waste that ends up in the air, water supply, or landfill?

The Hudson Valley Technology Development Center (HVTDC) has joined with the New York State Empire State Development (ESD) group to offer Environmental Investment Program Technical Assistant Project (EIP TAP) grants to companies with at least 10 employees who can demonstrate specific pollution prevention and waste reduction opportunities. The Environmental Investment Program is a financial assistance program to help businesses capture the economic benefits associated with pollution prevention, waste reduction, re-use and recycling. The program provides capital, technical assistance, and research and development awards that expand the ability to recycle solid and industrial waste into higher value products, or reduce pollution and waste at the point of generation.

Eligibility

EIP TAP grants are open to organizations, businesses and partnerships that will reduce waste, recycle, prevent pollution, or develop/manufacture sustainable products at the business location.

- Capital Funding is available to non-profit organizations or municipalities in partnership with NYS business.
- Technical Assistance Funding is available to non-profit organizations or municipalities providing assistance to groups of NYS businesses.
- Research Demonstration and Development (RD&D) Funding is available to small and medium sized NYS businesses and non-profit organizations employing fewer than 500 workers or earn less than \$10 million in gross revenue or annual sales.

The HVTDC will work with up to 20 companies that have potential projects and will fund five projects with a maximum capital cost of \$60,000.

The Process

To start the EIP TAP process, visit to <http://hvtdc.org/signUp/?s=EIPtap> to complete and submit a very simple application. Following receipt of your application, HVTDC's David Tooker will schedule a half-day visit to your facility, typically within a couple weeks to review the project you have in mind.

If the initial assessment is positive, your project will move on to the Comprehensive Environmental and Productivity Assessment (CEPA). This involves some detailed engineering and equipment selection in order to implement the pollution reduction project. This assessment is shared with the client company to reach agreement on its scope and cost.

The output of this review is a waste stream diagram and Lean assessment of the entire process identifying particular opportunities for improvement. A detailed report, with the top recommendations for reducing pollution and waste stream areas is provided. After the assessment is completed, the project is presented to the capital review board. This board is comprised of the center's Executive Director, Mr. Tom Phillips, a member of the ESD regional office, and the project manager.

Award Amounts

The EIP TAP program also provides funding for the first two stages of the process: the initial ½ day assessment is provided with no charge to the company and funding of up to \$5000 with a company match of up to \$1,000 for the comprehensive assessment. From the initial request to the capital review presentation typically takes 2-3 months. EIP TAP funding can provide up to one third of the total capital cost for the design, purchase, installation, and operation of the necessary equipment with a cap of \$60,000 total project cost.

The program is scheduled to end June 30, 2013.

To learn more about the evaluation, as well as information on comprehensive assessments and capital assistance contact Mr. David Tooker at: (845) 391-8214 ext. 3010 or via email at: david.tooker@hvtdc.org

ROSS TOPLIFF is the principal at Tops Engineering, a Council of Industry associate member company, which focuses on reducing waste from manufacturing processes thereby improving the economics. He can be reached at (845) 728-1769; Email: rosst@topsengineering.com.



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Energy Matters

Fix or float? Buy now or wait?

The search for the answers to these questions is why energy buyers spend so much time gazing into crystal balls.

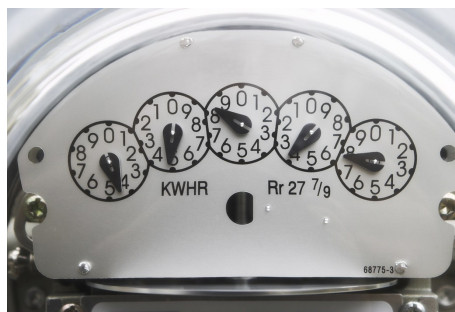
Now, however, there appears to be a growing consensus among the experts (including USOURCE, Direct, Platts and Hess) that now is the right time to fix your load for 2013 and 2014.

“Energy customers should consider buying in August and September because higher prices appear likely in 2013 and 2014 and because prices are still very low based on historical analysis.”

- *Direct Energy*

“For all Clients with natural gas or electricity contracts expiring in 2012 now is the time to review pricing options and to move toward your next contract. The market low point for the balance of 2012 should occur before September 30th.”

- *USOURCE*



There appears to be a growing consensus among the experts that now is the right time to fix your load for 2013 and 2014.

The reason for the consensus boils down to 3 things:

1. **Gas Storage** - The natural gas storage surplus compared to 2011 has fallen from 55% to 27% over 12-weeks. And injections have average 27 Bcf/week below injections from last year. This pace is more than needed to avoid a storage glut. The Storage surplus will be smaller in 2013.
2. **Weather** - A repeat of last year's record warm winter is unlikely. So therefore, higher gas demand is likely, which support higher prices.
3. **Economic Activity** – Call this the “election day” factor, but given the very sluggish economy in the first half of 2012 with second quarter GDP growth coming in at 1.5% and the ISM index for June at 49.7 indicating contraction, many economist believe that businesses are delaying activities until after the election. They think that, no matter what the outcome of the election in November there will be a burst of business activity because some degree of certainty will be known. Increased activity and investment will mean greater demand for energy and higher prices.

If your electricity contract is due to expire in the next 6 months, or If you are still with your utility, now is the time to price your electricity load with an eye toward locking in a fixed price. If you interested in getting a price through the [Council of Industry Energy Consortium](#) for electricity and/or natural gas, or would like to schedule an appointment to discuss the energy markets and our consortium, please contact Harold King at hking@councilofindustry.org.



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Financial Matters

CFO Expense or Investment?

By Jim Santangelo, CERTIFIED FINANCIAL PLANNER™,

A talented CFO will earn his/her keep and may save a company from its own demise. For this reason, CFO's should be viewed as an investment.

In my opinion, EVERY entity needs a talented Chief Financial Officer (CFO) delivering valuable services. Unfortunately, some CEOs/ Presidents ("CEO") may view the position as a "bookkeeper" or worse an expense item on the P&L.

As an example, I have a client in which the CEO held the "bookkeeper mindset" until he took the advice of his business consultants and hired a CFO a few years before the Great Recession. Prior to hiring the CFO, the CEO equated cash flow to the balance in the company's checking account.

The new CFO started to measure and forecast cash flow and calculated that the company's debt level was too high and likely unsustainable. A multi-year forecast illustrated that under optimal conditions the company would not be able to satisfy the future cash flow demands of the company.

Initially the CEO viewed the forecast and questioned the validity of the numbers. The CEO repeatedly stated, "I have been doing this for years and my company has grown and flourished." The successful CEO did not realize that the company's relatively high growth rate was fueled by an incremental accumulation of debt.

After multiple meetings and presentations with the company's CPA firm and the CFO, the CEO reluctantly agreed to address the company's debt load. We all know what occurred in 2008 and 2009. Fortunately the company survived the Great Recession and the CEO thanks the CFO for the great work and for saving the company from the abyss.

I believe that the CEO and CFO should be

"joined at the hip" and work together as a well-oiled machine. The two positions need each other and must rely on each other. After all, you didn't think the greatest com-

panies attained fame and fortune solely on the back of the CEO? If you did, I encourage some homework on your part.

The value of a CFO can be best explained by another example.

The CEO had a long term relationship with a bank. Every year the bank's account executives would visit my client. The parties would slap each other on the back and say, "See you next year" and the CEO would resign the necessary agreements and he would go back to making money.

Other financial institutions would call trying to solicit the company's banking business. But because of the CEO's loyalty to his current bank he could never make time to meet with these banks.

In this example, the client employed a bookkeeper versus a CFO due to the incremental cost of employing a CFO. After much prodding by his CPA firm, the CEO capitulated and agreed to hire a CFO.

In comes the new CFO. He meets with a few of the financial institutions offering their wares and successfully negotiates an interest rate on the outstanding debt that is reduced by 100 basis points and eliminates the personal guarantees. The interest rate reduction would save the company \$200,000 a year in interest expense and the CEO would be "off the hook" for the personal guarantees. In this case, one of the CFO's first accomplishments offset the cost of his employ.

In conclusion, a talented CFO will earn his/her keep and may save a company from its own demise. For this reason, CFO's should be viewed as an investment.

If your company does not have the financial strength to employ a CFO, I highly recommend you defer to a CPA firm that can provide "CFO like services" to your company. After all, based on the examples in this column, how can you not consider engaging a CFO?

Jim Santangelo, CERTIFIED FINANCIAL PLANNER™, 845-546-0327. Securities and Advisory services offered through Royal Alliance Associates, Inc., One Industrial Drive, Middletown, NY 10941. (845)695-1700. Member FINRA/SIPC and a registered investment advisor.






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Golf Outing continued from front page

Unfortunately, no one won the Lincoln MKZ Hybrid on the Hole-in-one tee sponsored by **The Reis Group** and **Applied Underwriters**, but there were still plenty of prizes awarded for the truncated tournament. The longest drive prize went to Evan Nichols from Pawling Corp., and the closest to the pin prize was awarded to Tom McCoy from Chemprene. The team with the best score for the infamous game of Yellow Ball was Pawling Corp. with the foursome from Chemprene coming in second and Bank of America's group was third. For best ball the third place foursome was BASF, second place was a mixed foursome of Steve Pomeroy (Schatz Bearing Corp), Tom McDonough, (Jackson Lewis), Mark Kastner, (The Chazen Companies), and Mike Ratliff (Marco Manufacturing)



The Pawling Corp. foursome: John Muro, Roger and Jason Smith, and Evan Nichols, winners of the infamous Yellow Ball competition.



Tom McCoy from Chemprene drains the winning putt.

ing) and the winning best ball foursome was the combo of Fran Melder and Mary Ellen Rogulski from Orange County Trust, Jeff Papo from HV Shred, Inc. and Amy King, Council of Industry. **Sentry Insurance** held a putting contest which was won by Tom McCoy from Chemprene after an exciting putt off held inside the clubhouse.

The Council of Industry would like to thank the following Prize Sponsors: **Alcoa Fastening Systems, The Chazen Companies, Direct Energy, Eastern Alloys, Elna Magnetics, Jabil Circuits, Inc., and Marco Manufacturing.**

Everyone had a great time, even if they did go home a touch damp and the Council of Industry would like to thank the following Tee sign sponsors for their support: **BASF, Rondout Savings Bank, Package Pavement, Riverside Bank, DUSO Chemical Company, Sentry Insurance, Pawling Corp., Ulster Savings Bank, and Jackson Lewis LLP.**



Mary Ellen Rogulski and Jeff Papo celebrate by kissing the coveted Council Cup.

Consumer Price Index for July 2012

				<u>Point</u>	<u>%</u>	<u>% Increase</u>
Wage Earners & Clerical	July '11	July '12	Jun '12	Increase	Month	Year
1967=100	663.31	671.90	673.29	-1.39	-0.2	1.3
1982-84= 100	222.69	225.57	226.04	-0.47	-0.2	1.3
All Urban Consumers						
1967=100	676.76	686.29	687.42	-1.12	-0.2	1.4
1982-84=100	225.92	229.10	229.48	-0.37	-0.2	1.4
Hudson Valley unemployment rate for July 2012 = 8.0 %						

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Member Profile

Mettrix prides itself in its willingness to take on projects that are out of the ordinary or which push its technology limits and capabilities.

Member Profile: Mettrix Technology Corp.

Year Founded: 1998

Location: Wappingers Falls, NY

Product/ Service: electronic related products and services such as through hole and surface mount (SMT, SMD) assembly, wire harness construction and box build.

Website: www.mettrix.com



Mettrix Technology Corporation was founded in 1998 primarily as an electronic design house by Oliver P. Engel a former IBM Senior Engineer at IBM's design laboratory in East Fishkill, NY. Since its founding, the company has expanded into the area of electronic manufacturing services (EMS). Currently more than 80% of the company's revenue originates from building custom electronics for its customers. Customers range from small companies, including one-man shops, to large multinational Fortune 500 companies.

Mettrix is a small company, employing only eight people which includes the president and founder, but recently increased the size of its facilities moving from a 3600 square foot space into a brand new 7200 square foot facility which it owns in Wappingers Falls, NY. The new facility was specifically designed and fitted for electronic assembly purposes with plenty of room for expansion when needed.

Mettrix prides itself in its willingness to take on projects that are out of the ordinary or which push its technology limits and capabilities. An example of this is a project Mettrix worked on for Cornell University to develop electronics to be used to tag birds for the purpose of gathering data during migration. This project required a study in weight reduction of the electronics to ensure that the bird would not be affected by the extra weight. Some examples of other products Mettrix has produced for customers includes alcohol breathalyzers, pollution gas conditioning and gas monitoring electronics, LED-based light engines for illumination, one-time-use electronics used by surgeons, battery charge monitors, controllers for automated screw-driving equipment, and control electronics for industrial coolers and chillers. Customers include General Electric, for which the company has been manufacturing power distribution equipment for the past eight years. Mettrix has also provided service to IBM which include printed circuit board (PCB) design, IC layout, subsystem design and prototyping, and assembly services. They also provide design and assembly services to Nuflare Technologies, a research and development subsidiary of Toshiba. These are only a sampling of the customers and types of services Mettrix provides.

In their new facility, Mettrix Technology Corp. operates one surface mounted technology (SMT) assembly line and other equipment used for through-hole component assembly. The company has the ability to assemble RoHS compliant product or tin-lead solder-based product using either no-clean or water-washable solder flux chemistries. Their employees, once past their initial trial period, often are there for several years. The average employment tenure is five years and since its founding in 1998, two employees have retired with over ten years of service. Only half of the new facility is currently in use, allowing room for the company to more than double its production capacity in the future when needed. With the majority of Mettrix marketing done through referrals and web advertising, it is likely that the quality of their product will continue to grow their reputation and the business.

Place Your Company's Ad Here

The Council of Industry's monthly newsletter has a mailing circulation of 250 manufacturers and an online circulation of hundreds more.

Contact Alison Butler at

abutler@councilofindustry.org

**or call (845) 565-1355
for more information.**



Continued from page 6 Legislative Matters

Third, publish articles in company and plant publications explaining the company's priority legislative issues. Let employees know how these issues affect the company's future. Include all candidates' positions, as well as the incumbents' records on these issues.

The debates are heating up, and much is at stake for manufacturers in America. Are you ready? More importantly, are your employees ready? Time is running out. Visit www.namelectioncenter.org and increase your employee participation today.

If you would like more information on the issues that effect Hudson Valley manufacturers go to the Council of Industry's website www.councilofindustry.org and click on the Manufacturing is Vital button. This will bring you to the council's advocacy page with links to NAM and the New York State Manufacturing Alliance websites as well as provide you with important information on key issues.



**Manufacturing is Vital.
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Vital to Manufacturing.**

Continued from page 5 More Personnel Matters

It identifies the types of reasonable accommodations veterans with disabilities may require, discusses when you may ask a veteran with a disability if he requires an accommodation, and describes the process for determining if a veteran with a disability requires an accommodation.

Finally, the guidance notes the differences between the ADA and USERRA, including the fact that USERRA requires employers to go further than the ADA by making reasonable efforts to assist a veteran in becoming qualified for a job, regardless of whether or not he has a service-connected disability.

Guidance for wounded veterans

The guidance for veterans likewise provides an overview of ADA and USERRA protections, but it also seeks to educate veterans on their general employment rights. For example, the guidance explains when an employer or potential employer may discuss a veteran's disabilities. Additionally, it describes the types of accommodations veterans may request and the process they should follow to request them. The guidance also includes the various steps a veteran can take if he believes an employer has unlawfully denied him employment or failed to provide him with a reasonable accommodation.

Employer Actions

You are well advised to familiarize yourself with the EEOC's new guidance and your general employment obligations to returning veterans. As hostilities overseas wind down, you can expect to continue seeing veterans — including disabled ones — transitioning from the military to the private sector. In short, employers need to be fully aware of the legal rights that veterans have earned through their military service.

Diane Pietraszewski is an associate of Bond, Schoeneck & King, PLLC, in the Buffalo, New York, office. She can be reached at dpietraszewski@bsk.com or (716) 566-2853.

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