

The Merriam *Bulletin*

Insurance Since 1895

“What’s News in Insurance”

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Fall 2008

Charles W. Merriam & Son, Inc (518) 393-2109 376 Broadway, Schenectady, NY 12305



Brian H. Merriam

BRIAN MERRIAM NAMED NEW YORK SMALL BUSINESS CHAMPION!

NFIB/NY Leadership Council Chairman Brian Merriam, president of Merriam Insurance in Schenectady and an NFIB member since 1979, has been named the 2008 Solveras/NFIB Small Business Champion for New York.

This honor, bestowed by Merriam’s fellow small business owners, is recognition not only of his commitment to NFIB and the cause of enterprise, but also his outstanding leadership as a businessman and his dedication to his community.

Merriam has been in the family insurance business, which was founded in 1895, since 1983. He became president in 1989. Under Merriam’s leadership, the firm has expanded beyond providing general insurance services to personal and commercial lines, retirement planning and investments.

“Brian is a loyal, tireless and reliable supporter of NFIB’s efforts on behalf of small business,” says NFIB State Director Mike Elmendorf. “Despite his considerable obligations running his own business, he continuously makes himself available to join our battles in Albany. As chairman of the Leadership Council, Brian is a strong leader for small business in New York. He has earned the respect of key policymakers in Albany and is a true champion for small business.”

In accepting this honor, Merriam said, “I am very grateful to NFIB and my fellow business owners for this recognition. Admittedly, I am involved for the selfish reason that I want a future whereby I can have my children remain with me in business, here in New York.”

“As a fourth-generation insurance agent, I am carrying on a tradition that is being threatened by government regulations and taxes. Although I am able to withstand these burdens for the time being, I am aware that my children’s generation is much more transient and is willing to locate in that part of the country where the standard of living is better.”

“In this time of easy access to information, it is expected that they will realize what those of us in business already know too well: New York is in trouble. We have the highest taxes per capita in the nation and many of our best young minds are choosing to follow others in leaving this state. If we are to entice this generation and the next to consider the merits of doing business in the Empire state, we must make the empire stronger and more attractive. This will only come about by tirelessly fighting for reduced government intrusion, both from taxes and burdensome regulations. “

“I encourage others to join me in this battle for the hearts and minds of our children. In partnership with our elected representatives, let’s make all business owners champions.”

Merriam is an active member in his community, supporting numerous civic and charitable organizations. He represents the finest tradition of successful entrepreneurship and community leadership, and we are proud to honor him as our Small Business Champion.

Article taken from NFIB MyVoice NY August/September edition.

What you have been saying about us...

“Great service from both Merriam & New York Central.”
William & Diane Faubion, Scotia, NY

“Very professional and addressed concerns promptly.”
Kurt & Laurie Brunn, Minerva, NY

“Noelle was very helpful and did a great job of clarifying all information on our behalf to Travelers.”
John & Kathleen Casey, Watervliet, NY

“Noelle was very helpful and gave me my options so I had a clear idea of what options I had prior to making my decision.”
Gregory & Sherry Sorrentino, Schenectady, NY

TITLE INDUSTRY WEATHERS THE TOUGH TIMES ERRORS AND OMISSIONS MARKETS IMPACTED

If you are a Title Insurance Agent, we don't have to tell you that this has been a difficult year for your business. Home sales are down, re-financing far more difficult to do and many "Johnny come lately" Title Agencies, Mortgage Brokers, and Real Estate Moguls have vanished.



We have seen a marked increase in title agency closures and title professional E & O claims have increased dramatically. Once again, insurance companies are abandoning the professional liability market for your industry. We've seen it all before... and so have you.

The Merriam Agency has long been recognized as a leader in this market and we are here to stay.

We still insure hundreds of Title Professionals throughout the country. Our E&O Insurance Program for the Title Industry still has the best protection at the best price available anywhere. We have either 2 or 3 admitted, nationally recognized, A+ rated carriers in every state we are licensed to do business in. At last count that was 41 States!

We will continue to monitor available markets and work to keep your costs in check while providing a broad coverage form for your proper protection, that's our job.

We also have an entire series of Business Insurance Programs custom tailored for Title Agents and Abstracters. We offer:

- Fidelity Bonds – at reduced rates with a simple application
 - Surety Bonds – even for a "start up" company
 - Business Owners Policies – that cover the essential protections every business needs
 - Workers Compensation – with built in "deviations" from standard pricing
- ... And much more. Ask us!

**What more can we do for you?
Call me, Bob Roche at ext. 211 or e-mail me at
bob@merriaminsurance.com**

**We should be the only phone call you have to make
when you have ANY insurance issues.**



Robert J. Roche
Title Industry Program Director

MORTGAGE FRAUD ON THE RISE NATIONWIDE

As reported in our Schenectady (NY) Gazette on August 26th incidents of mortgage fraud have jumped **42 percent nationwide**.

This report is based on subscriber data reported to the Mortgage Asset Research Institute for loans originated in the first quarter of 2008, that have since been classified as "fraudulent".

In the MARI report, Florida ranked first, with nearly a quarter of all the mortgage fraud incidents, followed by California in second. Illinois, Maryland and Michigan apparently tied for the "bronze" position.

The most common fraud cases included misrepresenting income, employment history, debt and assets. According to the Mortgage Bankers Association – Mortgage fraud has represented about \$1 BILLION dollars in losses over the past decade.

Also – from the MARI website – the FBI attributes 80% of all mortgage fraud cases to "industry insiders" (citing 2006 statistics).

How might this affect YOU?

From our vantage point, that 1 billion dollar number is not going to be improving anytime soon. In the whirlwind created by the real estate "boom" it seems not everyone checked and re-checked all the documentation when approving and processing all those loans.

Could you be held liable for a claim resulting from Fraud? The time to find out how your Professional Liability (E&O) policy will respond is Not after the suit has been filed. Talk to us now. Make sure your policy will defend you.

What if an employee of yours, or a subcontractor you selected, "assisted" with the alleged fraud? Do you have a Fidelity policy? That's a protection we can provide at a very reasonable rate. We have the answers!

Call Bob Roche at ext. 211 or e-mail bob@merriaminsurance.com



FIRE PREVENTION: CLOTHES DRYERS

Clothes dryers are a convenience and a necessity in our households these days. However, if they are not properly installed or maintained, critical fires can occur. Clothes dryer fires cause an average of approximately 400 injuries and 15 fatalities each year.

Homeowners can possibly stop these fires by observing indications of their appliances' poor performance. If heavy clothes such as jeans or towels take a longer than normal time to dry, or if the clothing feels hotter than usual at the end of the drying cycle, then you should inspect and clean the vent. Another key factor in preventing dryer fires is to consult the manufacturer's guidelines and recommendations regarding what can be effectively dried. Oil soaked clothing, tennis or athletic shoes, and foam-backed throw rugs increase the

(cont.)

potential for fire. You should also keep a fire extinguisher and a working smoke alarm in the clothes dryer area.

Recommendations:

1. **Clean the lint screen/filter** before or after drying each load of clothes.
2. **Clean the dryer vent and exhaust duct periodically.**
3. **Replace plastic or foil, accordion type ducting materials** with rigid or corrugated semi-rigid metal duct. The flexible plastic or foil type duct can more easily trap lint and is more susceptible to kinks and crushing, which can greatly reduce the airflow.
4. **Take special care when drying clothes that have been soiled with volatile chemicals.** Clothing exposed to gasoline, cooking oils, cleaning agents, finishing oils and stains should be washed more than once, and preferably, hung to dry. If using the dryer, use the lowest heat setting and a drying cycle that has a cool-down period at the end of the cycle.

Should a fire occur, it is important that it be handled by professional fire departments.

When you follow the installation and manufacturer's guidelines and perform regular inspections on dryer vents, you can protect yourself from dryer fires.



Source: Philadelphia Ins. Company Loss Control Technical Bulletin

Carol Swahlan
Director of Operations

CROSS COUNTRY SKI AREAS

The problem:

Most insurance policies written on cross country ski areas do not provide coverage for medical payments. The purpose of medical payments is to mitigate a potential lawsuit for claims like trip and fall on your property. Without this coverage a "gap" exists for you.



The solution:

Consider the purchase of accident insurance covering your skiers for pennies added to your ticket. If the skier is injured on your property and his medical insurance does not pay the bill than this policy will pay up to a limit of let's say \$10,000 for those medical bills. This does not of course prevent the fact that the skier may still pursue you in a liability lawsuit but it does go a decent distance to lessen the chances. There are some policies that will even put your injured employee under this coverage. Feel free to call me any time to review the possibility of procuring this coverage.



Kevin Pezze
Production Executive
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THE TROUBLE WITH VOLUNTEERS...

Volunteers play a vital role in many not-for-profit organizations including rescue missions, food banks, charitable foundations, community service organizations, and other social service agencies. They staff fundraisers, offices, mailrooms, and special events across the country every day.

Unfortunately, volunteers can also provide challenges in obtaining affordable workers compensation coverage for the organizations they seek to help. Many insurance companies are not willing to insure organizations that use large percentages of volunteer labor (more than 15-20% of the workforce). We have come across this same problem time and time again over the past few years for our own clients.

After several months of negotiations, we are pleased to announce the launch of a new workers compensation program designed specifically for not-for-profit organizations. This program provides workers compensation for employees while also providing valuable coverage for volunteers.

Since the launch of this program, several organizations have been able to secure coverage they previously could not afford. Another organization has decreased their annual workers compensation premium more than 40%, a savings of almost \$13,000. This is very real money they can now put back into helping others.



For more information, call me toll free at 877-MERRIAM (637-7426) ext 224 or email me at brian.pudlo@merriaminsurance.com. I look forward to talking with you soon.

Brian Pudlo
Account Executive

WWW.MERRIAMINSURANCE.COM

In an effort to make your life easier, the Merriam Agency is launching a revised website this fall. The updated website will include:

- A more current and up-to-date design, creating a more simple navigation of website pages.
- New and revised Internet forms, making it easier than ever to obtain quote and renewal forms.
- A Defensive Driving Course Schedule, to give you the best way to keep up-to-date on our most regular course.

The revised website is designed to give you the maximum convenience possible, along with a greater amount of services. Please visit www.merriaminsurance.com and see how the Merriam Agency continues to serve you!



Tyler J. Merriam
Sales Center Representative

The Merriam Agency

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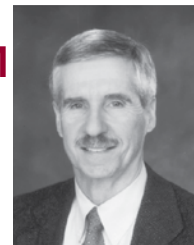
Join Brian Merriam, CPCU, ARM, AAI
as he teaches the
New York Safety Program's
Defensive Driving Course

Nov. 18th & 19th
6 – 9 pm
The Merriam Agency
376 Broadway, Schenectady

Cost is \$32 for clients and
\$35 for non-clients

Call to reserve your spot today
as space is limited!
393-2109 ext. 215

ROGER GREENWOOD, CFP TO OFFER SERVICES TO MERRIAM AGENCY CLIENTS



The Merriam Agency is pleased to announce the addition of new services to our clients. Roger Greenwood, Certified Financial Planner, has aligned himself with the agency to offer the following services:

- Retirement planning
- Estate planning
- Business planning
- Wealth management
- Wealth transfer
- Financial planning
- Life planning
- Charitable giving
- Insurance counseling

Roger's expertise allows him to provide advice in the areas of college planning, reverse mortgages, all areas of insurance products, beneficiary designations, home equity lines of credit, parental care, legal documents (will, trust, durable power of attorney, living will, health care proxy), Capital Region Community Foundation, long-term care, designing a business owners exit plan, and "legacy planning."

If Roger may be of service to you in any of these areas please call him at (518) 393-2109 x210

Roger Greenwood, CFP®