

EXECUTIVE BOARD MINUTES

Date: April. 18, 2017 9 am

ROLL: Michael Powers, President
Tammy Sawchuk, Executive Vice President
Mike Dildine, Recording Secretary
Dave Viddivo, Treasurer
Paul Lashway, VP Central Excused
Mike Mazzella, VP Mid-Hudson
Joe Miano, VP Western
Clarence Fisher, VP Southern
Chris Hansen, VP Northern
John Harmon, VP LE Excused
Bill Sellers, Sergeant's Liaison

ATTORNEY: E. Parker – LMWF

GUESTS: Keith Jacques - LMWF

MINUTES: March 14, 2017 minutes unanimously approved

Directive Changes: Sent via email from B. Cronin:

Next meeting: May 24, 2017 9am Albany

Correspondence: None received

PRESIDENT'S REPORT –

- Asked the board to keep Law Enforcement VP Harmon in their thoughts and prayers as he recovers from his accident

3/21 - NYSCOPBA held their legislative reception which was very well attended by NYS legislators

3/22 – Staffing review meetings held for Elmira, Downstate and Wilard

3/22- Met with Sen. Flanagan over death gamble legislation

3/27 Met with Staffing M. Marro over change ion staffing reviews. Discussed issue with Deputy Commissioner Bellnier averting a staffing change at Willard

3/28 Met with Law Enforcement VP Harmon concerning numerous issues

3/29 - Met with Assembly Minority leader Kolb

3/29 - Dealt with DOCCS response to president Power's NPR interview

3/30 - Payroll issues at Watertown over bag issue

3/30 – Along with LE VP Harmon conducted an interview with WUTQ over Central NY Psyche

3/11- Plastic Bag injunction filed

4/2 -Mid state female officer assaulted. Initial information from DOCCS was inaccurate. Subsequent amended press release was sent out.

4/7 - Raise the Age was enacted in the budget. OCFS will run the program side, DOCCS will handle security. All employees of the Adolescent Offender Program are subject to random drug testing

- With passing of the budget NYSCOPBA is working on an op-ed with the IDC

4/11- Meeting held with DOCCS over numerous security issues. Pepper spray to be fully implemented in mid 2018. Discussed continued issues with K-2 in the facilities. NYCLU will be fully implemented mid 2019. DOCCS is adding a Spanish speaking Sgt's position.

4/12- Toured Marcy and Midstate

4/13- the request for a temporary restraining order for the plastic bags was denied by the court

EXECUTIVE VICE PRESIDENT REPORT

- Rally numbers are not good, very few Chief Sector Stewards have signed up
- Received many calls on the clear plastic bags
- NYSCOPBA has objected to DOCCS conducting training at line-up

4/12- Toured Marcy and Midstate

4/14 Attended the Sing Sing Hartkye Memorial. Assemblyman Weprin attended and praised staff

TREASURER' S REPORT –

- Gen Op 12.29
- Current Bond Investment Unrestricted 9,1
- Current Bond Investments Restricted 978K
- LDF & RDF Summary Plan Description/Policy Review complete
- Missing DOCS reduced from 69K to 31K
- Lease discussion with Equinox continues(In Attorney's approval phase)
- 5500 for RDF has been prepared and awaiting filing
- No update on Pension Plan Audit
- No finalized NYSCOPA annual audit
- Garnet River Agreement
- Attended Legislative Reception in Albany
- RDF Payouts 99,300 Balance 302,996
- LDF Payouts 25,845 954K w/Inv acct. 1.93
- Treasurer's training has concluded and went well. Since training we are receiving much better submittal of required documents
- Finance Committee has begun the discussion over NYSCOPBA cars
- Asked for unanimous consent for Tom Sawyer to attend meetings while LE VP Harmon is unable to.

REGIONAL VICE PRESIDENT REPORTS

Law Enforcement Report:

- SSA's at Stonybrook were given OMH take down training. Sawyer is asking for clarification from OMH April Lambert on this issue

Southern Region Report:

3/21/17 – Eboard meeting Albany

3/21/17 – Legislative Reception at the Renaissance Hotel in Albany

3/24/17 – 2nd Arbitration hearing for C.O. Stevenson out of Sing Sing C.F.

3/26/17 – C.O. Off duty arrest

3/27/17 – Risk Assessment Meeting in the 2 Bronx Parole Offices

3/27/17 – Queensboro General Membership meeting

3/28/17 – Diversity Management interview at the Peekskill Parole office

3/28/17 – Taconic General Membership meeting

3/29/17 – Bedford Hills General Membership Meeting

3/30/17 – Lincoln General Membership meeting

3/30/17 – Grand Council of Guardians Awards Ceremony in Mt. Vernon, N.Y.

3/31/17 – Edgecombe General Membership meeting

4/3/17 – Sing Sing requalification

4/5/17 – Office

4/10/17 – Office

4/11/17 – Attended funeral for retired C.O. Ronald Preston in Queens

4/11/17 – C.O. Suspended from Taconic C.F. She was given a security screw by an inmate and didn't report it to her area supervisor.

4/12/17 – 65 year old officer brutally attacked by an inmate in Sing Sing C.F.

4/13/17 – Attended General Membership meeting at Sing Sing C.F.

4/14/17 – Attended the Hartey / Fagan Memorial at Sing Sing C.F.

4/16/17 – Accidental discharge of a personally owned firearm inside of Queensboro C.F.

4/17/17 – Office

On 4/14/17, an officer from Sing Sing C.F. was terminated by an arbitrator for excessive force.

Suspensions- since Jan. 2017- 9

Q&A- Joy Faulkner (A.T.A.) -3/21/2017* pending 2nd day

Total Grievances-Active 1/2016- present- 20

Notice of Discipline-Oct. 2016- 3, Nov. 2016- 6, Dec. 2016- 2, Jan. 2017- 7, Feb. 2017- 7, March 2017- 2, April 2017- 2, Total N.O.D.=29

Settlements- 2017- 6, Arbitration Termination- 1-Philip Roundtree-4-14-2017, Rainy day fund- 3, Step II- BHCF & Taconic -3/17/2017,

Separation of Service (CSL Section 71) since- Jan. 2017- 1

Western Region Report:

3/20/17-Office, Travel to Albany

3/21/17-Office, E Board Mtg in Albany, Ovid Court w/member, Upstate Hospital (members assaulted)

3/22/17-Office, Willard EAP Day, Staffing Mtg in Albany, Attended Lakeview member Retirement party

3/23/17-Office, Travel to Albany, (2) Q&A's in Buffalo, Met w/Wyoming members

3/24/17-Office, (2) Q&A's in Albany, EHS exam w/member in Syracuse

3/27/17-Office

3/28/17-Office, (3) Q&A's in Utica, Q&A in Buffalo

3/29/17-Office, (2) Q&A's in Buffalo

3/30/17-Office, (2) Q&A's in Buffalo

3/31/17-Office, (4) Q&A's in Utica, (3) Q&A's at Buffalo CF, EHS Exam(s) w/member in Syracuse

4/3/17-Office, Arb Prep w/Member

4/4/17-Office, Attended Gowanda/Collins Union Meeting

4/5/17-Office, PERB Hearing in Albany, Arbitration in Waterloo

4/6/17-Office, (3) Q&A's in Utica, Regional Meeting

4/7/17-Office, Site Visit w/Attorney at Attica CF

4/10/17-Office, Arb Prep w/Member, Travel to Albany

4/11/17-Office, Step 2 Hearing Attica, Meeting w/DOCCS in Albany

4/12/17-Office, (2) Q & A's in Buffalo, Arbitration in Auburn

4/13/17-Office, Orleans Site Visit, Wyoming Union Meeting, Arbitration Wende

4/14/17-Office, Arbitration Wende, Attended Sing Sing Memorial

4/17/17-Office

Western Region Disciplines- Suspended-24, NOD's-60, Admin Leave-9, RDF Eligible-7

Central Region Report:

*March 21st attended NYSCOPBA Reception in Albany

*March 22nd thru 24 Central Region office

*March 27th myself and Jason Combs Toured Mohawk CF and talked to members about any concerns

*March 28th attended the Veterans committee in Albany

*March 29th Central region office

*March 30th myself and BA Jason Combs toured Mid-State CF and talked to members about any concerns

*March 31st Central region office

*April 2nd Was notified by Mid State that a female officer had been attacked on a housing unit at about 0300 hrs We responded to the facility . After checking on the officer who was visibly shaken from the ordeal made rounds so that all members would know what went on and not let rumors spread

*April 3rd Q&A's out of Watertown

*4th Central office. 5th Central office then attended a Unity Dinner for Mid State officers and Sergeant's

*6th , 7th 10th 11th Central region office

*April 12th Toured Marcy CF and Mid-State CF with Mike Powers, Tammy Sawchuk, Toby Hogan and Jason Combs

*April 13th 14th Central region office then Albany

*April 15th On Vacation Can be reached if needed

Mid-Hudson Region Report:

I attended a Staffing Review meeting in Albany on behalf of Downstate CF. It bothers me that additional security jobs weren't approved as well as existing temporary jobs that have been active for 17 years were not approved either. I raised the issue that when the housing unit Officer brings a group to chow on the afternoon shift, he leaves the unit with no security coverage.

I attended a meeting with DOCCS along with other board members to discuss issues throughout the state.

We attended Step 2 grievance meetings at Fishkill CF, Otisville CF and Ulster CF. We are currently scheduling more in the region.

In addition, we have attended multiple Q&A's in Albany, pre-arbitration meetings with members and several days of Disciplinary Arbitrations.

A reminder to the board that the Donna Payant Memorial is on May 15th at 1:00 pm

It appears that assaults on staff have been increasing in our region despite what the department has reported. I have an issue with the current "electronic" reporting system. When a member files an assault alert on line, I am not receiving an immediate report. I need to have that information asap. There was a recent assault at Fishkill CF where an Officer sustained a possible broken nose and another sustained a shoulder injury. I was waiting on the report and contacted the CSS several times trying to obtain it. The stewards at the facility kept saying that it was sent, so I had Larry Flanagan search the Office and check with NYSCOPBA HQ. I finally found out that it was filed through the website when Toby sent an email containing a compiled lists of assaults throughout the state.

Northern Region Report:

March 15- Arb. Clinton c. o.
March 16 - Q and A Washington Sgt.
March 17 - Albany
March 20 - Albany
March 21 - Legislative Reception
March 27 - Albany
March 28 - Lawyers office arb. prep
March 29 - Albany
March 30 - Plattsburgh, United Way and Strand Theater
March 31 - Albany
April 4 - Albany
April 5 - Albany
April 6 - Northern Region Meeting, Plattsburgh
April 10 - Albany
April 11 - Meeting with Assemblyman Jones
April 12 - Tele med mtg. Albany
April 13 - Tele med mtg. cancelled
April 14 - Albany Q and A Barehill

UNFINISHED BUSINESS:

2019 Executive Assembly Dates- Will submit to June 2017 EA for approval

Temporary Staff- Approved-

Directive Letter- Attorneys will send follow up letter to Commissioner Annucci

NEW BUSINESS:

Directive 4936 IP- Law firm working on the improper practice for the directive above and beyond the clear bag issue that has already been filed. The return date for the clear bag injunction paperwork is May 4, 2017.

Rainy Day Fund Collection issues- Regional VP's will be CC'ed with collection letters to contact the individuals who have not repaid monies

Bielinski Grievance Closure- Grievance closed. See motion below

WTO representation- Adjourn to May E Board to discuss with LE VP Harmon

ISO Coverage- Individual issues over not being allowed to attend union activities are to be directed to E. Parker for resolution

Olivo Article 78- Approved see motion below

DOCCS Wednesday Training- President Powers will handle this issue

MOTIONS:

To approve the Rainy Day Fund application for C. Streimer-

Motion made by: Executive Board

Motion defeated unanimously

To approve the Rainy Day Fund application for J. Johnson-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for A. Stuetzle-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for C. Rodriguez-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for X. Hymes-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for D. O'Neil-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for P. Lazarz Jr-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for T. Bower-

Motion made by: Executive Board

Motion approved unanimously

To approve the Rainy Day Fund application for J. Biccum-

Motion made by: Executive Board

Motion approved unanimously

To file an Article 78 on behalf of D. Olivo-

Motion made by: T. Sawchuk

Motion approved unanimously

To close grievance CON11-0588 Bieliski-

Motion made by: M. Dildine

Motion approved unanimously

To approve additional Legal Defense Funds for C. Claude-

Motion made by: Viddivo

Motion approved unanimously

To approve the Legal Defense Fund application for Q. Purifoy-

Motion made by: J. Miano

Motion approved unanimously

To terminate the contact with Bolton St. John effective June 1, 2017-

Motion made by: Sawchuk

Motion approved unanimously

Action without a Meeting to file an appeal if the Burel v OMH case unanimously approved.

Action without a Meeting to release lunch bag IP and injunction to PEFR and C-82 unanimously approved

A handwritten signature in black ink, appearing to read "Mike Dildine", written over a horizontal line.

Mike Dildine, Recording Secretary