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20	and Shorthand Reporter in and for	20	
21	the State of New York.	21	
22		22	
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1 DISPOSITION OF MOTIONS  
2  
3 To approve the minutes -- carried 26  
4 To approve the Minutes -- carried 26  
5 To go off record -- carried 32  
6 To postpone Lippes Mathias  
Contract renewal -- carried 50  
7  
8 To change union membership  
enrollment policy -- carried 148  
9 To move to tomorrow's  
agenda -- carried 149  
10 To move to change the  
catastrophic policy -- carried 150  
11 To move to accept the amendment  
to retirement policy--carried 151  
12 To move to withdraw proposal  
Baker PR -- carried 168  
13  
14 To move to adjourn -- carried 175  
15  
16  
17  
18  
19  
20  
21  
22  
23

5

1 PRESIDENT POWERS: All  
2 right. We're going to get  
3 started. I'd like to call  
4 the meeting to order.  
5 With that, can we all  
6 please rise?

8 (Whereupon, a moment of  
9 silence was recognized  
10 followed by the Pledge of  
11 Allegiance)

13 PRESIDENT POWERS  
14 Thank you. Sergeant At  
15 Arms, read in the rules,  
16 please.

17 WILLIAM DAHLKE:  
18 Executive Assembly Rules  
19 of Order. One, anyone  
20 upon entering the  
21 Executive Assembly must  
22 wear the NYSCOPBA  
23 identification tag. Two,

7

1 APPEARANCES:  
2 OFFICERS PRESENT:  
3 MICHAEL POWERS, President  
4 TAMMY SAWCHUK, Executive Vice President  
5 TOBY HOGAN, Treasurer  
6 CHRISTOPHER SUMMERS, Recording Secretary  
7  
8 Vice Presidents  
9 MIKE MAZZELLA, Mid-Hudson  
10 SCOTT CARPENIER, Central  
11 JOHN ROBERTS, North  
12 CLARENCE FISHER, South  
13 JOHN HARMON, Law Enforcement  
14 JOE MIANO, Western  
15 Also Present:  
16 Bill Sheehan, Esq.  
17 Erin Parker, Esq.  
18 Keith Jacques, Esq.  
19 Steven Anderson, Parliamentarian  
20  
21  
22  
23

6

1 Chief Sector Stewards will  
2 sit in designated areas  
3 when the Executive  
4 Assembly is in session.  
5 Three, cellular phones  
6 are to be turned off and  
7 beepers are to be put on  
8 vibrating mode. Four,  
9 recording devices are  
10 prohibited unless provided  
11 by membership services and  
12 those directed by the  
13 recording secretary.  
14 Five, NYSCOPBA members  
15 in good standing will be  
16 allowed to address the  
17 Executive Assembly.  
18 Please state your name and  
19 your sector. Six,  
20 speakers at the microphone  
21 will follow the direction  
22 of the Sergeant at Arms.  
23 Thank you.

8

1 PRESIDENT POWERS:  
 2 Thank you. Chris, roll?  
 3 RECORDING SECRETARY  
 4 SUMMERS:  
 5 Good afternoon.  
 6 President Powers?  
 7 PRESIDENT POWERS:  
 8 Here.  
 9 RECORDING SECRETARY  
 10 SUMMERS: Powers, present.  
 11 Executive VP Sawchuk?  
 12 EXECUTIVE VICE  
 13 PRESIDENT SAWCHUK: Here.  
 14 RECORDING SECRETARY  
 15 SUMMERS:  
 16 Sawchuk, present.  
 17 Treasurer, Hogan?  
 18 TREASURER HOGAN: Here.  
 19 RECORDING SECRETARY  
 20 SUMMERS: Hogan, Present.  
 21 Recording Secretary  
 22 Summers, present.  
 23 VP North, Roberts.

9

1 RECORDING SECRETARY  
 2 SUMMERS:  
 3 Carpenter, present.  
 4 VP South, Fisher.  
 5 VICE PRESIDENT FISHER:  
 6 Present.  
 7 RECORDING SECRETARY  
 8 SUMMERS:  
 9 Fisher, present.  
 10 VP West, Miano?  
 11 VICE PRESIDENT MIANO:  
 12 Here.  
 13 RECORDING SECRETARY  
 14 SUMMERS:  
 15 Miano, present. Sergeant  
 16 liaison, Sellers?  
 17 MR. SELLERS: Here.  
 18 RECORDING SECRETARY SUMMERS:  
 19 Sellers, present.  
 20 Adirondack, Sturgeon?  
 21 MR. STURGEON: Here.  
 22 RECORDING SECRETARY  
 23 SUMMERS:

11

1 VICE PRESIDENT ROBERTS:  
 2 Here.  
 3 RECORDING SECRETARY  
 4 SUMMERS:  
 5 Roberts, present.  
 6 VP Mid-Hudson,  
 7 Mazzella?  
 8 VICE PRESIDENT  
 9 MAZZELLA:  
 10 Here.  
 11 RECORDING SECRETARY  
 12 SUMMERS:  
 13 Mazzella, present.  
 14 VP Law Enforcement,  
 15 Harmon?  
 16 VICE PRESIDENT HARMON:  
 17 Present.  
 18 RECORDING SECRETARY  
 19 SUMMERS:  
 20 Harmon, present.  
 21 VP Central, Carpenter?  
 22 VICE PRESIDENT CARPENTER:  
 23 Present.

10

1 Sturgeon, present.  
 2 Albany Training Academy,  
 3 Christiano?  
 4 MR. CHRISTIANO: Here.  
 5 RECORDING SECRETARY  
 6 SUMMERS:  
 7 Christiano, present.  
 8 Albion, Thomas?  
 9 MR. THOMAS: Present.  
 10 RECORDING SECRETARY  
 11 SUMMERS:  
 12 Thomas, present.  
 13 Altona, Guerin?  
 14 MR. GUERIN: Here.  
 15 RECORDING SECRETARY  
 16 SUMMERS:  
 17 Guerin, present.  
 18 Attica, Wagner?  
 19 MR. WAGNER: Here.  
 20 RECORDING SECRETARY  
 21 SUMMERS:  
 22 Wagner, present.  
 23 Auburn, Thomas?

12

1 MR. THOMAS: HERE.  
2 RECORDING SECRETARY SUMMERS:  
3 Thomas, present.  
4 Bare Hill, Perry?  
5 MR. PERRY: Present.  
6 RECORDING SECRETARY  
7 SUMMERS:  
8 Perry, present.  
9 Bedford Hills, Hale?  
10 MR. HALE: Here.  
11 RECORDING SECRETARY  
12 SUMMERS:  
13 Hale, present.  
14 Cape Vincent, Call?  
15 MR. CALL: Present.  
16 RECORDING SECRETARY  
17 SUMMERS:  
18 Call, present.  
19 Cayuga, Hatfield?  
20 MR. HATFIELD: Here.  
21 RECORDING SECRETARY  
22 SUMMERS:  
23 Hatfield, present.

13

1 Johnson, present.  
2 Cocksackie, Hofstetter?  
3 MR. HOFSTETTER: Present.  
4 RECORDING SECRETARY  
5 SUMMERS:  
6 Hofstetter, present.  
7 Downstate, Cooper?  
8 MR. COOPER: Here.  
9 RECORDING SECRETARY  
10 SUMMERS:  
11 Cooper, present.  
12 Eastern, Osterhoudt?  
13 MR. OSTERHOUDT: Here.  
14 RECORDING SECRETARY  
15 SUMMERS:  
16 Osterhoudt, present.  
17 Edgecombe, Watkins?  
18 MR. WATKINS: Present.  
19 RECORDING SECRETARY  
20 SUMMERS:  
21 Watkins, present.  
22 Elmira, Chorney?  
23 MR. CHORNEY: Here.

15

1 Central New York Psych  
2 Center, Janes?  
3 MR. JANES: Here.  
4 RECORDING SECRETARY  
5 SUMMERS:  
6 Janes, present.  
7 Clinton, Basto?  
8 MR. BASTO: Here.  
9 RECORDING SECRETARY  
10 SUMMERS:  
11 Basto, present.  
12 Collins, Morosey?  
13 MR. MOROSEY: Here.  
14 RECORDING SECRETARY SUMMERS:  
15 Morosey, present.  
16 Community Supervision,  
17 Ruland?  
18 MR. RULAND: Here.  
19 RECORDING SECRETARY SUMMERS:  
20 Ruland, present.  
21 CCA, Johnson?  
22 MS. JOHNSON: Present.  
23 RECORDING SECRETARY SUMMERS:

14

1 RECORDING SECRETARY  
2 SUMMERS:  
3 Chorney, present.  
4 Fishkill, Sonko?  
5 MR. SONKO: Here.  
6 RECORDING SECRETARY  
7 SUMMERS:  
8 Sonko, present.  
9 Five Points, Nelson?  
10 MR. NELSON: Here.  
11 RECORDING SECRETARY  
12 SUMMERS:  
13 Nelson, present.  
14 Forest Rangers, Carlson?  
15 MR. CARLSON: Here.  
16 RECORDING SECRETARY  
17 SUMMERS:  
18 Carlson, present.  
19 Franklin, Allen?  
20 MR. ALLEN: Here.  
21 RECORDING SECRETARY  
22 SUMMERS:  
23 Allen, present.

16

1       Gouverneur, Gleason?  
2       MR. GLEASON: Present.  
3       RECORDING SECRETARY  
4       SUMMERS:  
5       Gleason, present.  
6       Gowanda, Guest?  
7       MR. GUEST: Here.  
8       RECORDING SECRETARY  
9       SUMMERS:  
10      Guest, present.  
11      Great Meadow, Keough?  
12      MR. KEOUGH: Here.  
13      RECORDING SECRETARY  
14      SUMMERS:  
15      Keough, present.  
16      Green Haven, Moreau?  
17      MR. MOREAU: Here.  
18      RECORDING SECRETARY  
19      SUMMERS:  
20      Moreau, present.  
21      Greene, Horacek?  
22      MR. HORACEK: Here.  
23      RECORDING SECRETARY

17

1       RECORDING SECRETARY  
2       SUMMERS: Stewart,  
3       present.  
4       Lakeview, Gruber?  
5       MR. GRUBER: Here.  
6       RECORDING SECRETARY  
7       SUMMERS:  
8       Gruber, present.  
9       Lincoln, Moore?  
10      MS. MOORE: Here.  
11      RECORDING SECRETARY  
12      SUMMERS:  
13      Moore, present.  
14      Livingston, Henderson?  
15      MR. HENDERSON: Here.  
16      RECORDING SECRETARY  
17      SUMMERS:  
18      Henderson, present.  
19      Marcy, Powers?  
20      MR. POWERS: Here.  
21      RECORDING SECRETARY  
22      SUMMERS:  
23      Powers, present.

19

1       SUMMERS:  
2       Horacek, present.  
3       Groveland, Hunsinger?  
4       MR. HUNSINGER: Here.  
5       RECORDING SECRETARY  
6       SUMMERS:  
7       Hunsinger, present.  
8       Hale Creek, Rowe?  
9       MR. ROWE: Here.  
10      RECORDING SECRETARY  
11      SUMMERS:  
12      Rowe, present.  
13      Hudson, Raleah?  
14      MR. RALEAH: Here.  
15      RECORDING SECRETARY  
16      SUMMERS:  
17      Raleah, present.  
18      ISO's, Ohms?  
19      MR. OHMS: Present.  
20      RECORDING SECRETARY SUMMERS:  
21      Ohms, present. Kirby  
22      Forensic, Stewart?  
23      MR. STEWART: Here.

18

1       Mid Hudson Forensic Psych,  
2       Orgorzaly?  
3       MR. ORGORZALY: Here.  
4       RECORDING SECRETARY  
5       SUMMERS:  
6       Orgorzaly, present.  
7       Mid State, McGowan?  
8       MR. MCGOWAN: Here.  
9       RECORDING SECRETARY  
10      SUMMERS:  
11      Mcgowan, present.  
12      Mohawk, Mullin?  
13      MR. MULLIN: Here.  
14      RECORDING SECRETARY  
15      SUMMERS:  
16      Mullin, present.  
17      Moriah, Trombley?  
18      MR. TROMBLEY: Here.  
19      RECORDING SECRETARY  
20      SUMMERS:  
21      Trombley, present.  
22      Ogdensburg, Cox?  
23      MR. COX: Here.

20

1           RECORDING SECRETARY  
2       SUMMERS:  
3       Cox, present.  
4       Orleans, Gold?  
5       MR. GOLD: Here.  
6           RECORDING SECRETARY  
7       SUMMERS:  
8       Gold, present.  
9       Otisville, Hawkes?  
10      MR. HAWKES: Here.  
11           RECORDING SECRETARY  
12      SUMMERS:  
13      Hawkes, present.  
14      Queensboro, Smith?  
15      MR. SMITH: Here.  
16           RECORDING SECRETARY  
17      SUMMERS:  
18      Smith, present.  
19      Riverview, Bell?  
20      MR. BELL: Here.  
21           RECORDING SECRETARY .  
22      SUMMERS:  
23      Bell, present.

21

1           SSO Western Region,  
2   Compton?  
3           MR. COMPTON: Here.  
4           RECORDING SECRETARY  
5       SUMMERS:  
6       Compton, Present.  
7           Security Officers,  
8       Tonney V?  
9           MR. VACHAPARAMBIL:  
10      Yes.  
11           RECORDING SECRETARY  
12      SUMMERS: Tonney V,  
13      present.  
14      SSA's, Schiavone?  
15      MR. SCHIAVONE: Here.  
16           RECORDING SECRETARY  
17      SUMMERS:  
18      Schiavone, present.  
19      Shawangunk, Marasco?  
20      MR. MARASCO: Here.  
21           RECORDING SECRETARY  
22      SUMMERS:  
23      Marasco, present.

23

1           Rochester Psych Center,  
2   Raven?  
3       MS. RAVEN: Here.  
4           RECORDING SECRETARY  
5       SUMMERS:  
6       Raven, present.  
7       SSO Central, Barrett?  
8       MS. BARRETT: Here.  
9           RECORDING SECRETARY  
10      SUMMERS: Barrett,  
11      present.  
12      SSO Mid-Hudson, Smith?  
13      MR. SMITH: Present.  
14           RECORDING SECRETARY  
15      SUMMERS:  
16      Smith, present.  
17      SSO Northern region no  
18   rep.   SSO Southern Region,  
19   Pomales?  
20      MR. POMALES: Here.  
21           RECORDING SECRETARY  
22      SUMMERS:  
23      Pomales, present.

22

1           Sing Sing, Perez?  
2       MR. PEREZ: Present.  
3           RECORDING SECRETARY  
4       SUMMERS:  
5       Perez, present.  
6       Southport, Deburgomaster?  
7       MR. DEBURGOMASTER: Here.  
8           RECORDING SECRETARY  
9       SUMMERS:  
10      Deburgomaster, present.  
11      Sullivan, Fuller?  
12      MR. FULLER: Here.  
13           RECORDING SECRETARY  
14      SUMMERS:  
15      Fuller, present.  
16      Taconic, Gordon.  
17           MS. GORDON: Here.  
18           RECORDING SECRETARY SUMMERS:  
19      Gordon, present.  
20      Ulster, Speenburgh?  
21      MR. SPEENBURGH: Here.  
22           RECORDING SECRETARY  
23      SUMMERS:

24

1 Speenburgh, present.  
 2 Upstate, Gary?  
 3 MR. GARY: Here.  
 4 RECORDING SECRETARY  
 5 SUMMERS:  
 6 Gary, present.  
 7 Wallkill, Holbert?  
 8 MS. HOLBERT: Here.  
 9 RECORDING SECRETARY SUMMERS:  
 10 Wallkill, present.  
 11 Washington, no rep.  
 12 Watertown, Nevills?  
 13 MR. NEVILLS: Here.  
 14 RECORDING SECRETARY  
 15 SUMMERS:  
 16 Nevills, present.  
 17 Wende, Keenan?  
 18 MR. KEENAN: Good  
 19 afternoon.  
 20 RECORDING SECRETARY  
 21 SUMMERS:  
 22 Keenan, present.  
 23 Willard, Moore?

25

1 RECORDING SECRETARY SUMMERS:  
 2 Seeing none, minutes  
 3 approved.  
 4 PRESIDENT POWERS:  
 5 We'll move into the  
 6 President's report. We  
 7 got a busy agenda today,  
 8 so I'll keep this short  
 9 and sweet. As we  
 10 discussed many times in  
 11 this room, a lot of the  
 12 facility concerns, they're  
 13 still very much obviously  
 14 alive and well.  
 15 We've got the Feds  
 16 creeping into another  
 17 facility since we last  
 18 met, there may be more.  
 19 So, keep that in the back  
 20 of your mind here to  
 21 impress upon your members  
 22 the importance of NYSCOPBA  
 23 and what it has to offer.

27

1 MS. MOORE: Here.  
 2 RECORDING SECRETARY  
 3 SUMMERS:  
 4 Moore, present.  
 5 Woodbourne, Gutierrez?  
 6 MR. GUTIERREZ: Here.  
 7 RECORDING SECRETARY  
 8 SUMMERS:  
 9 Gutierrez, present.  
 10 Wyoming, Hickey?  
 11 MR. HICKEY: Here.  
 12 RECORDING SECRETARY  
 13 SUMMERS:  
 14 Hickey, present. That's  
 15 it.  
 16 The minutes have been  
 17 published for the EA in  
 18 April. Are there any  
 19 corrections?  
 20  
 21 (No response.)  
 22  
 23

26

1 The Janus decision is  
 2 soon to be posted probably  
 3 by either this coming  
 4 Monday or the Monday  
 5 after. And there's still  
 6 work to do as far as that.  
 7 We'll be talking about  
 8 that later during the  
 9 constitution and bylaws.  
 10 And then ultimately  
 11 advancing our cause once  
 12 the language comes out to  
 13 protect the benefits that  
 14 we have for all NYSCOPBA  
 15 members.  
 16 I'm sure many of you  
 17 here are obviously  
 18 concerned and wondering  
 19 what's going on with your  
 20 CBC, the collective  
 21 bargaining committee and  
 22 the contract, as you're  
 23 well aware through our

28

1 e-mail process, that the  
2 contract is -- we're not  
3 talking right now.

4 And I'm going to pass  
5 this off shortly to John  
6 Harmon and Mike Mazzella,  
7 the chairs of the CBC, the  
8 collective bargaining  
9 committee to openly  
10 discuss this, give you an  
11 idea as to what  
12 transpired, how it  
13 transpired and why.

14 And then we're going to  
15 talk to you a little bit  
16 about what we would like  
17 to see happen moving  
18 forward. As far as  
19 maneuvering, whether or  
20 not this body chooses to  
21 go to -- re-enter into the  
22 previous request for  
23 impasse and mediation.

29

1 And so, we're going to  
2 have an open transparent  
3 conversation about that  
4 here shortly. One piece  
5 of business that we have  
6 that's open that we'll  
7 talk about here shortly as  
8 well, in this contract  
9 talks, the executive board  
10 wishes to remove the  
11 motion to hire Baker PR.  
12 They just don't seem to be  
13 a good fit.

14 We've given them  
15 opportunities, we worked  
16 with them, we brought them  
17 in, we sat them down.  
18 It's not seeming to be a  
19 good fit. So we'll  
20 probably not be moving  
21 that, we'll need consensus  
22 of this body and we'll be  
23 looking to move forward in

30

1 another avenue.

2 And we'll be talking  
3 about that and these  
4 previous talks. At this  
5 time I'm going to pass off  
6 to John and Mike. And I'm  
7 going to bring in a group  
8 of people that we reached  
9 out to, that we want to  
10 talk to you about, as far  
11 as how we're going to move  
12 forward.

13 It's a public relations  
14 firm out of Glens Falls I  
15 believe -- Troy, I  
16 apologize. It's Gramercy.  
17 They were one of the ones  
18 that were involved in the  
19 RFP process. But it's not  
20 to hire a new PR firm,  
21 this is about a campaign  
22 moving forward concerning  
23 our contract.

31

1 I'm going to pass it  
2 off now to John and Mike  
3 and field all your  
4 questions to them.  
5 VP MID-HUDSON  
6 MAZZELLA: Good morning.  
7 Could we get approval to  
8 go off the record, please?  
9 All those in favor of  
10 going off the record say  
11 aye.

12 (Response of "Aye".)

13  
14  
15 VP MID-HUDSON MAZZELLA:  
16 Anybody opposed?

17  
18 (No Response.)

19  
20 (Discussion off the  
21 record.)

22 PRESIDENT POWERS: So  
23 we'll go back on the

32



1 record. Executive Vice

2 President's report.

3 EXECUTIVE VP SAWCHUK:

4 Good afternoon everyone.

5 Peace officer's Memorial

6 Day is held annually on

7 May 15th in honor of

8 federal, state and local

9 officers killed or

10 disabled in the line of

11 duty. And I'd like to

12 thank four facilities who

13 held their own memorial.

14 Sing Sing Correctional

15 Facility, Green Haven

16 Correctional Facility,

17 Elmira Correctional

18 facility; and Orleans

19 Correctional Facility.

20 I'd like to thank you

21 all for that. Give

22 yourself a round of

23 applause for that.

33

1 But all of us are capable

2 of becoming better people

3 than we are today and we

4 all strive to do so.

5 Similar, no matter how

6 many things may seem or

7 appear in a larger society

8 driving to make

9 improvement to make things

10 better for all; the union

11 is no different. Like the

12 people we know or the

13 society we live in, no

14 union is perfect. But all

15 are capable of improving

16 the union that we work

17 for, whether it be from

18 the president down to the

19 trainee at the Albany

20 Training Academy, there's

21 going to be a decision

22 soon within the next

23 couple of weeks that could

35

1 (All applause.)

4 EXECUTIVE VP SAWCHUK:

5 And on May 31st there was

6 a memorial wreath laying

7 at Memorial Park outside

8 of the LLB in Albany and

9 we were in attendance.

10 There was also a Metal of

11 Honor and a Metal of Merit

12 ceremony held that

13 afternoon at Albany

14 Training Academy and we

15 were in attendance.

16 Never forget our

17 fallen, never forget our

18 disabled, never forget our

19 Veterans. And I thank

20 everyone, everyone who is

21 part of this union. No

22 person is perfect and no

23 society is perfect either.

34

1 change the dynamics of

2 this organization. And

3 that decision is Janus

4 versus AFSCME.

5 It is imperative,

6 imperative that everyone

7 reminds our brothers and

8 sisters, in our

9 correctional facilities

10 and the every fifteen

11 other titles under law

12 enforcement, how important

13 that is and what it does

14 for you.

15 It's each and every one

16 of our responsibility to

17 keep engaged, to keep them

18 educated and to keep them

19 informed. I'm asking for

20 everyone's help in this

21 when this decision comes

22 down. You're going to

23 here some things today,

36

1 there's going to be some  
2 changes in policy that we  
3 need to look at to ensure  
4 the security of this  
5 organization that was  
6 found back in 1998 and  
7 started. And the  
8 foundation that was set by  
9 the people who led the way  
10 for this union to become  
11 law enforcement union with  
12 independence; and not many  
13 can say that.

14 We know the dangers  
15 that are going on in our  
16 correctional facilities,  
17 we know the gangs are a  
18 relevant and part of the  
19 problem with drugs,  
20 contraband and anything  
21 else that's coming in.

22 And please, keep up the  
23 due diligence, the

37

1 because I've heard that.  
2 Or people of poverty; it  
3 is not. It is white males  
4 between the ages of  
5 thirty-three and  
6 fifty-five. Every life is  
7 important; every member is  
8 important.

9 Keep your eyes open.  
10 If the behavior of one of  
11 your brothers or sisters  
12 changes, please make note  
13 of it. Please pull the  
14 person aside and please  
15 inquire to save a life.  
16 Thank you.

17 PRESIDENT POWERS:  
18 Thank you, Tammy. Toby,  
19 treasurer's report.

20 TREASURER HOGAN:  
21 Good afternoon. Total  
22 cash is ten million.  
23 Rainy Day Fund, we have

39

1 officers that are in the  
2 package room that are  
3 finding the contraband  
4 that is coming into the  
5 facilities, you're doing  
6 an outstanding job.

7 And I'd just like to  
8 mention one other thing.  
9 Recently, there were two  
10 high profile individuals  
11 who committed suicide.  
12 With that came the  
13 statistics about suicide.  
14 And for those who didn't  
15 hear or don't know, in the  
16 past two decades suicide  
17 has rose by more than  
18 twenty-five percent. And  
19 it rose in the category of  
20 white male between the age  
21 of thirty and fifty-five.

22 I know a lot of people  
23 think it's females,

38

1 forty thousand. Legal  
2 Defense Fund, 2.39  
3 million. Unrestricted  
4 bonds, 6.11 million.  
5 Restricted bonds, 1.49  
6 million. We have 1.11  
7 million in Gen Ops. Any  
8 questions on that?

9 All right. I handed  
10 everybody a packet. Last  
11 EA we talked about the law  
12 firm and their retainer is  
13 up in August. We have a  
14 negotiated contract  
15 proposal in front of you.  
16 Can I have the law firm  
17 step out? I think they  
18 are -- they're out.

19 All right. They  
20 originally asked for five  
21 percent and they came down  
22 to three. I got them at  
23 two and a half for three

40

1 years per year. For the  
2 period of September 1st,  
3 2018 through December 31st  
4 2018, we will pay the same  
5 legal fees to Lippes that  
6 exists on August 31st,  
7 2018, which is two  
8 percent.

9 Starting January 1st,  
10 it will go up to two and a  
11 half percent, 2019.  
12 January 1st, 2020, two and  
13 a half percent. January  
14 1st, 2021, two and a half  
15 percent.

16 The raises set forth  
17 above will only become  
18 effective if NYSCOPBA has  
19 ratified it's successful  
20 collective bargaining  
21 agreement that is  
22 currently being negotiated  
23 with the State of New

41

1 years, we firmly believe  
2 that two and a half  
3 percent annual increases  
4 in our retainer fee is  
5 more than justified. This  
6 stems not only from an  
7 increase in the amount of  
8 time we have expended on  
9 traditionally covered  
10 services, but also from an  
11 increase in services  
12 provided outside the scope  
13 of the current retainer.

14 With respect to the  
15 traditionally covered  
16 services, we can point to  
17 a significant and  
18 heightened demand on our  
19 legal representation  
20 services, during the  
21 course of the past several  
22 years. For example, while  
23 we have always provided

43

1 York.

2 However, once the  
3 collective bargaining  
4 agreement has been  
5 ratified, NYSCOPBA will be  
6 responsible for  
7 retroactive payments as  
8 proposed dating back to  
9 January 1st, 2019.

10 Lippes agreed to meet  
11 with NYSCOPBA night and  
12 days subsequent to the  
13 rendering of Janus  
14 decision for purposes of  
15 reopening negotiations on  
16 the proposed retainer  
17 agreement if NYSCOPBA has  
18 lost at least fifteen  
19 percent of the membership.

20 Based on our analysis  
21 of the work we have  
22 performed for NYSCOBPA  
23 during the past several

42

1 full service  
2 representation for all  
3 disciplinary arbitration  
4 proceedings, the  
5 proceedings themselves  
6 have evolved during the  
7 last decade.

8 Hearings that would  
9 generally be completed  
10 within one or two days  
11 five years ago, now  
12 require five to ten days  
13 of hearing prior to  
14 completion. With the  
15 number of cases proceeding  
16 to arbitration remaining  
17 relatively constant during  
18 that period, our attorneys  
19 are now carrying an even  
20 greater caseload based on  
21 the length of these  
22 hearings.

23 Additionally, Q and As

44

1 that were once held  
2 exclusively in the Albany  
3 area, are now being held  
4 in all corners of the  
5 state. The overall number  
6 of interrogations is also  
7 significantly increased in  
8 recent years. We ensure  
9 attorney coverage at all  
10 these Q and As, which  
11 results in a diminished  
12 availability of attorneys  
13 in our office to handle  
14 legal issues; legal issues  
15 that seemingly increase at  
16 a significant level each  
17 year.

18 The amount of  
19 litigation we commence on  
20 behalf of the union has  
21 also increased during  
22 recent years, particularly  
23 with respect to the

45

1 cases only increasing, the  
2 burden placed on our legal  
3 team will increase as  
4 well.

5 Such representation is  
6 important for several  
7 reasons. First, it  
8 provides NYSCOPBA with  
9 critical insight to the  
10 scope and breadth of the  
11 investigation accordingly.  
12 We can best protect the  
13 corporate interest of  
14 NYSCOPBA. Second, non  
15 target, non subject  
16 members are represented  
17 before the US Attorney and  
18 Grand Jury without cost to  
19 that member.

20 Additionally, we have  
21 assisted the union and its  
22 PR firm with membership  
23 campaigns, mailings, press

47

1 Article 78 proceedings.  
2 Justice center cases that  
3 were far and few between  
4 when we negotiated the  
5 current agreement with  
6 NYSCOBPA have dramatically  
7 increased in numbers  
8 recently.

9 With respect to the  
10 work we perform for the  
11 union outside the current  
12 retainer agreement, we  
13 have seen a substantial  
14 increase in the number of  
15 hours dedicated to legal  
16 representation in  
17 nontraditional areas.

18 For example, Federal  
19 investigations have  
20 occupied a significant  
21 amount of time from  
22 several of our attorneys.  
23 With the number of these

46

1 releases during the tenure  
2 of the current retainer  
3 agreement. These are  
4 services we have not  
5 traditionally performed  
6 for NYSCOPBA.

7 Any questions?

8 VP LAW ENFORCEMENT

9 HARMON: John Harmon, Law  
10 Enforcement Vice  
11 President. Toby, I  
12 thought the opener was ten  
13 percent for the Janus  
14 decision, yesterday.

15 TREASURER HOGAN: I  
16 don't think I said the  
17 percentage.

18 VP LAW ENFORCEMENT

19 HARMON: Yesterday it was  
20 ten percent.

21 TREASURER HOGAN: Then  
22 it was my error. I didn't  
23 think I said a percentage.

48

1 VP LAW ENFORCEMENT  
 2 HARMON: Yeah.  
 3 TREASURER HOGAN: It's  
 4 fifteen percent.  
 5 VP LAW ENFORCEMENT  
 6 HARMON: Is there any  
 7 negotiation for ten?  
 8 TREASURER HOGAN: I'm  
 9 sure I can get it to ten.  
 10 UNIDENTIFIED SPEAKER:  
 11 What about five?  
 12 TREASURER HOGAN: Is  
 13 there any other questions?  
 14 Hearing none, I'm asking  
 15 for unanimous consent to  
 16 pass this through. All in  
 17 favor with the ten  
 18 percent?  
 19 STEVE MARASCO: Steve  
 20 Marasco, Shawangunk. If  
 21 we don't have to make a  
 22 decision until August, can  
 23 we defer it until the

49

1 the floor.)  
 2  
 3 VP NORTH ROBERTS: Nay.  
 4 John Roberts, Northern VP.  
 5 TREASURER HOGAN: All  
 6 right. That's all I got.  
 7 Any questions?  
 8 SHAUN KEENAN: Keenan  
 9 out of Wende. Are we  
 10 taking this back to our  
 11 membership with the  
 12 fifteen percent or ten  
 13 percent?  
 14 TREASURER HOGAN: Ten  
 15 percent. I'll make that  
 16 adjustment with the law  
 17 firm. Thank you.  
 18 PRESIDENT POWERS:  
 19 We'll move into  
 20 departmental reports.  
 21 VP WEST MIANO: We're  
 22 raffling off two Glocks,  
 23 the tickets are twenty

51

1 August EA so I can bring  
 2 it back to my members and  
 3 see what they think?  
 4 That's my only question.  
 5 TREASURER HOGAN: Is  
 6 everybody good with that?  
 7 Is that a motion to  
 8 postpone?  
 9 STEVE MARASCO: Yes.  
 10 CHRIS MOREAU: I'll  
 11 second the motion. Chris  
 12 Moreau, Green Haven.  
 13 TREASURER HOGAN: All  
 14 in favor to take this back  
 15 and bring it back next EA?  
 16 All in favor say aye?  
 17  
 18 (Response of "Aye".)  
 19 .  
 20 TREASURER HOGAN:  
 21 Opp osed anybody?  
 22  
 23 (Response of Nay from

50

1 dollars a piece and Lisa  
 2 has them. Thank you.  
 3 SHARON SMITH: Good  
 4 afternoon. I have sent a  
 5 memo to the southern  
 6 region about South Nassau  
 7 Hospital, it's  
 8 currently -- as of July  
 9 1st, they will no longer  
 10 be in the Empire Plan  
 11 network. I think we have  
 12 I was told about three  
 13 hundred seventy members  
 14 who could be effected by  
 15 that.  
 16 Anybody who has had  
 17 services in the past  
 18 twelve months got a letter  
 19 informing them of that.  
 20 They still are in  
 21 negotiations, we're hoping  
 22 that that will get  
 23 resolved. But if not,

52

1 effective July 1st they  
2 will be an out of network  
3 hospital, which will be a  
4 lot of out of expense for  
5 our members.

6 So, I will certainly  
7 get something out if I  
8 hear anything that they've  
9 reached an agreement. But  
10 I haven't heard anything  
11 so far, but I wanted to  
12 mention that.

13 The second issue is, I  
14 had notified you before in  
15 previous EAs that the  
16 prescription drug program  
17 for the Empire Plan was  
18 out for bid and the award  
19 went to Optimum Health.  
20 Well, I was notified a  
21 couple weeks ago that that  
22 award was thrown out and  
23 they are redoing the whole

53

1 process.

2 The contract is up with  
3 the CVS Caremark, December  
4 31st of this year, so the  
5 process needs to get done  
6 quickly, so whoever gets  
7 the award has time to make  
8 the changes.

9 I will certainly keep  
10 you apprised of all that,  
11 but I just thought I would  
12 mention that in case you  
13 hear something about that.  
14 So that's back out for  
15 bid. That's all I have  
16 for updates. Does anybody  
17 has any questions?

18 PRESIDENT POWERS:  
19 Thank you, Sharon.  
20 Jocelyn.

21 JOCELYN GLEASON: Hi,  
22 good afternoon. I just  
23 have one thing to go over;

54

1 the work place violence  
2 risk assessment training.  
3 It has been postponed. I  
4 think the last time I  
5 spoke it should have  
6 already happened. The  
7 first training will be in  
8 September.

9 I have packets out at  
10 the sign-in table. So if  
11 anybody is interested to  
12 look at the dates. If you  
13 are interested in doing  
14 the training, you need to  
15 get with your VP or your  
16 BA.

17 If you're already on  
18 the work place violence  
19 committee, you should be  
20 attending the risk  
21 assessment training. We  
22 are looking for two people  
23 from each facility. And

55

1 that's all I have.

2 Does anybody have any  
3 questions for me? Okay.  
4 Have a good day.

5 PRESIDENT POWERS:  
6 Thank you Jocelyn. Dan?

7 DAN VALENTE: Good  
8 afternoon, everyone.  
9 Since we last met we held  
10 our Lobby Day in Albany.  
11 We had about fifty chiefs  
12 or stewards come down to  
13 Albany to lobby the  
14 legislative agenda. It  
15 was a good day. We had a  
16 good turn out.

17 Everybody was very  
18 professional, articulate,  
19 I think we got our message  
20 across. Since then, we've  
21 been pursuing those  
22 priority bills. Some of  
23 them moving more or less

56

1 in the Senate. Our  
2 friends in the Senate have  
3 moved just about all of  
4 our priority legislation,  
5 a little bit of work left  
6 there.

7 Some of the issue that  
8 have come up, we've had  
9 the contraband bill  
10 introduced, which got  
11 moved into the senate,  
12 it's awaiting to be voted  
13 on. There was some  
14 amendments that came down  
15 in the Assembly for that  
16 piece of legislation,  
17 which required the Senate  
18 to pass the bill. They  
19 had to recall it and add  
20 the amendments. And now  
21 it's set to be re-passed.

22 We're continuing to  
23 work on the assembly that

57

1 that right now is our  
2 biggest hurdle. Just  
3 about all our pieces of  
4 legislation, we're going  
5 to be working with the  
6 speakers office in the  
7 next week because we only  
8 have one week left of  
9 session until they break.

10 And it's election year  
11 so it's highly unlikely  
12 they return to Albany for  
13 a special session, at  
14 least until after the  
15 general election. The  
16 double bunking bill that  
17 was put in by Assemblyman  
18 Jones and Senator  
19 Gallivan, that was passed  
20 yesterday in the Senate.

21 We've gotten word from  
22 David Weparin who is the  
23 chair of the Corrections

58

1 Committee, that there was  
2 some push-back from the  
3 programming council staff,  
4 that the bill quite  
5 frankly what we're hearing  
6 is it would make it harder  
7 for them to close prisons  
8 if they were right size  
9 prisons to take down the  
10 double bunks.

11 So, it's not much of a  
12 surprise quite frankly  
13 that it's coming out of  
14 that house, but there's  
15 some educating that we're  
16 going to have to be doing.  
17 And I think it might be  
18 something that would be  
19 worthy to role into the PR  
20 campaign that we just  
21 heard from Gramercy.

22 Just to bring light to  
23 some of the liberal

59

1 positions that the  
2 Governor has been taking  
3 on criminal justice;  
4 restoring the voting  
5 rights for parolees, the  
6 amount of parolees and  
7 murderers that he's been  
8 releasing from prison.  
9 His current and most  
10 recent gun legislation to  
11 limit peoples access to  
12 firearms. I think that  
13 all couples in with the  
14 same mentality that we're  
15 seeing in the Assembly,  
16 which really has been and  
17 continues to be anti-law  
18 enforcement.

19 So, we're going to be  
20 reaching out to the  
21 members again, because  
22 once this legislative  
23 session breaks, we're

60

1 going to be needing the  
2 members to keep those and  
3 make those relationships  
4 in the districts. We  
5 still have those PAC  
6 seminars, the PAC  
7 receptions that we need to  
8 get set up throughout the  
9 region. Summer time would  
10 be a good time for that.

11 There's a lot of good  
12 candidates out there.  
13 Every Assembly member,  
14 every Senator, all four  
15 statewide elected  
16 officials are up for  
17 election this year. So  
18 it's going to be a pretty  
19 crazy summer.

20 They're going to be  
21 coming to us, our friends  
22 are going to be coming to  
23 us looking for support of

61

1 attach it to a bill that  
2 might not necessarily have  
3 the same interests.

4 So it's really, they're  
5 two separate issues  
6 combined into one bill in  
7 order to get their agenda  
8 passed. But the dynamics  
9 of the Senate are so  
10 screwed up right now that  
11 they can't get anything  
12 done without it. Anything  
13 that has any controversy  
14 associated with it, they  
15 can't get it done.

16 We've got thirty-one  
17 Democrats, we got  
18 thirty-one Republicans.  
19 Because there's  
20 sixty-three seats in that  
21 house. There's one  
22 Republican Senator,  
23 Senator Tom Croce from

63

1 their campaigns, for  
2 volunteers, and help with  
3 their campaign to get our  
4 friends reelected. And  
5 really the politics inside  
6 the Senate in the past  
7 couple weeks back has  
8 reverted back to when the  
9 Dems had control 2009,  
10 2010.

11 There's been a lot of  
12 parliamentary  
13 gamesmanship going on.  
14 There's been a lot of  
15 bills that have been being  
16 blocked. The Dems have  
17 been adding a lot of  
18 what's called hostile  
19 amendments, where they try  
20 to take a piece of policy  
21 that they've been pushing,  
22 and they've been trying to  
23 get passed for years, and

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1 Long Island who was  
2 reactivated to active duty  
3 in the Navy. So he's not  
4 in Albany, so the  
5 thirty-two seats that they  
6 counted on for their votes  
7 they no longer have those  
8 thirty-two seats. They  
9 can't count on it unless  
10 he's in those chambers  
11 casting those votes.

12 So right now we got  
13 somewhat of a gridlock.  
14 We got thirty-one and  
15 thirty-one, with as the  
16 constitution states the  
17 Lieutenant Governor  
18 presides over the Senate.  
19 And in the result of a  
20 tie, the Lieutenant  
21 Governor would cast the  
22 tie breaking vote.

23 That kind of came to

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1 head last week or two  
2 weeks ago when the Senate  
3 republicans, they accepted  
4 one of these hostile  
5 amendments from the  
6 Democrats. Then because  
7 of the bickering and the  
8 procedural issues that  
9 came up because of that,  
10 they were going back and  
11 forth, and they weren't  
12 going to allow certain  
13 Senators to speak on the  
14 floor. They said because  
15 of the Roberts rules and  
16 parliamentary procedure,  
17 there's a lot of  
18 bickering.

19 End of story, it goes,  
20 they remove the amendment,  
21 the hostile amendment and  
22 they were left scratching  
23 their heads, the Dems were

65

1 left scratching their  
2 heads because they had an  
3 opportunity to do  
4 something they've been  
5 trying to do for years.

6 And it kind of eludes  
7 to the way it was when  
8 they were in power. They  
9 were unorganized, they  
10 were -- when they had the  
11 chamber back in 2009 and  
12 '10. And it's really --  
13 quite frankly, I think  
14 that their behavior of  
15 late, the way they've been  
16 conducting themselves in  
17 the chamber and  
18 through the media, it  
19 really bodes well for the  
20 Republicans going into  
21 this election.

22 There's been five  
23 Republicans Senators that

66

1 have already announced  
2 they're not going to be  
3 running for reelections  
4 this time around. Some of  
5 those districts are going  
6 to be tough for them to  
7 win.

8 They got the  
9 enrollments but the way  
10 that this Democratic wave  
11 has gone since Donald  
12 Trump has been elected  
13 president, it's going to  
14 be difficult fight for  
15 those Republicans to  
16 retain those seats. But  
17 they're going to be  
18 turning to NYSOPBA and  
19 other organizations to  
20 help them.

21 And I think we owe it  
22 to them for the amount of  
23 work they've done on our

67

1 behalf, the Senate  
2 Republicans I'm referring  
3 to, that we at least be  
4 there and support them.  
5 So, if anyone has any  
6 questions about politics  
7 of it all, the pending  
8 legislation, what we  
9 should plan on going  
10 forward, I'd be happy to  
11 take any questions.

12 PAUL MIKOLAJAC: Paul  
13 Mikolajac out of Sing  
14 Sing. It's been made  
15 painfully clear to us that  
16 when one of us gets hurt  
17 on the job and then  
18 terminated, we only get  
19 thirty-three percent  
20 compensation. Whereas,  
21 most normal law  
22 enforcement get  
23 seventy-five or commonly

68

1 called three quarters.

2 What do we need to do  
3 to get the ball rolling to  
4 get this changed? Because  
5 it's my understanding that  
6 unless it's directly  
7 inmate related, meaning,  
8 if you're on a court trip  
9 and you get into a raucous  
10 with somebody other than  
11 the inmate, and you get  
12 medically terminated  
13 because of that injury,  
14 you still only get  
15 thirty-three percent for  
16 life.

17 What can we do to  
18 change this?

19 DAN VALENTE: An issue  
20 like that is a difficult  
21 topic to address because  
22 it all comes down to the  
23 all mighty dollar. With a

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1 union of twenty thousand  
2 plus, any time you have  
3 any bill that's going to  
4 increase their pensions or  
5 is considered by the media  
6 or by the Governor as a  
7 pension sweeter,  
8 regardless if it's  
9 warranted in the merits of  
10 legislation, it doesn't  
11 get the necessary look  
12 by -- you're not going to  
13 have feasibility to get  
14 the legislators to sponsor  
15 that legislation because  
16 of the price tag  
17 associated with it.

18 PAUL MIKOLOJAC: And I  
19 understand it's going to  
20 be difficult. But the  
21 Governor signed a bill for  
22 the firefighters in  
23 September of 2016,

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1 unifying all of them. Any  
2 of them hurt in training,  
3 any of them hurt in any  
4 way while on the job go to  
5 three quarters. So, I'm  
6 not saying it's going to  
7 be simple, what do we need  
8 to get it going so it gets  
9 looked at?

10 Is that something this  
11 PR firm needs to start  
12 pushing? The fact that  
13 we're kind of like the  
14 red-headed step children?  
15 Because if he signed the  
16 bill in 2016 for the  
17 firefighters in New York  
18 city, shouldn't we get the  
19 same consideration?

20 I mean, they don't  
21 really have inmates or  
22 things being thrown at  
23 them and they're getting

71

1 it already.

2 DAN VALENTE: I'm not  
3 particularly clear on the  
4 legislation you're  
5 referring to. I think it  
6 might be the World Trade  
7 Center bill if they were  
8 involved with --

9 PAUL MIKOLOJAC: No,  
10 this is uniformly parity  
11 bill. All firefighters  
12 now coming on the job, if  
13 injured on the job and  
14 medically terminated, will  
15 get three quarters pay.

16 DAN VALENTE: This is  
17 particular to  
18 firefighters, New York  
19 City --

20 PAUL MIKOLOJAC: New  
21 York City Firefighters.  
22 And he signed that in  
23 September of 2016.

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1 DAN VALENTE: If you  
2 can get me a bill number,  
3 I'd be happy to look at  
4 that. But as far as us  
5 moving something like that  
6 forward, the costs are  
7 prohibitive quite frankly.  
8 I think we got a fiscal  
9 note on that some years  
10 ago. It was upwards of  
11 hundreds of millions of  
12 dollars for that to be  
13 considered.

14 That's a cost that the  
15 state is responsible for,  
16 before that bill -- before  
17 any member gets to reap  
18 the benefits of it they  
19 got to pay that money  
20 forward in order to fund  
21 the pension plan.

22 PAUL MIKOLOJAC: I  
23 don't if the bill is going

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1 you three quarters.

2 I think what you're  
3 referring to is you're  
4 looking for an additional  
5 performance of duty  
6 disability retirement to  
7 gap between our  
8 inmate-related three  
9 quarters and the ordinary.  
10 Which most police and fire  
11 do have.

12 PAUL MIKOLOJAC: That's  
13 correct.

14 BILL NAYLOR: The  
15 benefit for that is  
16 usually fifty percent.

17 DAN VALENTE: Thanks,  
18 Bill. Any other questions  
19 legislatively,  
20 politically? All right.  
21 Have a nice day.

22 ANTHONY MOORE: Anthony  
23 Moore, Lincoln. New

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1 to be in there. But this  
2 is the chief leader,  
3 September 16, 2016. Cuomo  
4 case firefighter  
5 disability benefit  
6 upgrade.

7 DAN VALENTE: I'll take  
8 a look.

9 BILL NAYLOR: Mike,  
10 permission to speak?  
11 Paul, I think what you're  
12 referring to is there are  
13 actually two types of  
14 disability retirement that  
15 we're entitled to. One is  
16 called ordinary, which  
17 will give you one third or  
18 1.66 percent per year,  
19 even if you're above that  
20 one third average. The  
21 other is our performance  
22 of duty disability  
23 retirement, that will give

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1 Jersey State Corrections  
2 are now police officers in  
3 their title. Anything  
4 down the road on that for  
5 us?

6 DAN VALENTE: That's  
7 something I just heard  
8 from you.

9 PRESIDENT POWERS:  
10 That's a bill that was  
11 passed in the New Jersey  
12 State Senate. It hasn't  
13 gone through their House  
14 of Assembly. It was a  
15 Senator who passed -- he  
16 introduced it. I don't  
17 even know if it's been  
18 completely passed through  
19 his House of Senate yet.

20 He did propose a bill  
21 that would allow peace  
22 officers in New Jersey,  
23 corrections officers to be

76

1 deemed policeman.

2 ANTHONY MOORE: I  
3 thought it was already  
4 passed.

5 PRESIDENT POWERS: It  
6 may have gone through  
7 their Senate, I don't  
8 believe it's gone through  
9 their House of Assembly  
10 yet.

11 ANTHONY MOORE:  
12 Thank you.

13 PRESIDENT POWERS: Or  
14 whatever their other --  
15 I'm not familiar with  
16 their politics.

17 DAN VALENTE: Anything  
18 else? Anyone? All right.  
19 Have a nice night.

20 PRESIDENT POWERS:  
21 Thanks, Dan.

22 BILL NAYLOR: Good  
23 afternoon. First order of

77

1 with a disability  
2 retirement, it's a ten  
3 year -- you get it after  
4 ten years.

5 What that equates to,  
6 what the department  
7 reported, I put out there  
8 was a spread sheet on the  
9 back, it's basically from  
10 2001 to 2017, the average  
11 Cola increase was 1.3  
12 percent, which came out to  
13 about nineteen dollars and  
14 fifty cents a month.

15 So you're waiting ten  
16 years to get that if  
17 you're younger than  
18 sixty-two or haven't  
19 retired with a disability  
20 retirement. With the  
21 increases to health  
22 insurance, it does help  
23 but it's not going to

79

1 business that I have is  
2 the retiree chapter dues  
3 increase did pass. It  
4 passed at thirteen hundred  
5 sixty-nine votes to nine  
6 hundred and eighty-five.  
7 There was a little over  
8 twenty-four hundred  
9 ballots that were brought  
10 in on that.

11 The other thing is, I  
12 have been getting a lot of  
13 phone calls on COLA, from  
14 retirees and folks getting  
15 ready to retire. The COLA  
16 increase, the way it works  
17 is if you're age sixty-two  
18 or have retired with a  
19 disability retirement, you  
20 get your first COLA  
21 increase after five years.  
22 If you're younger than  
23 sixty-two and have retired

78

1 cover the increases for  
2 health insurance.

3 That COLA is calculated  
4 at fifty percent of the  
5 previous years annual rate  
6 of inflation and it's only  
7 applied to the first  
8 eighteen thousand of a  
9 single life allowance.

10 Retiree chapter stats.  
11 We added a hundred  
12 thirty-three retirees. No  
13 honoraries. We had twenty  
14 members pass. We had ten  
15 failed to renew. And the  
16 chapter stands at the end  
17 of May at ten thousand,  
18 one hundred ninety-nine  
19 members. Any questions  
20 for me?

21 PAUL MIKOLOJAC: Sir,  
22 Paul Mikolojac out of Sing  
23 Sing. In 2012 we had a

80

1 new actuary table that  
2 adjusted the value of our  
3 sick time when  
4 contemplating the cost of  
5 our medical.

6 Did that come close to  
7 filling the gap between  
8 the nineteen dollars and  
9 fifty cents which you get  
10 for a COLA retiree? Did  
11 it come close to it all?

12 BILL NAYLOR: Well, I  
13 can tell you over the last  
14 few years, the monthly  
15 increases to family  
16 coverage under Empire were  
17 a little over thirty  
18 dollars a month. So, I  
19 mean, do the math on that,  
20 your COLA increases is  
21 covering about two thirds  
22 of that.

23 PAUL MIKOLOJAC: Two

81

1 thirds after ten years.

2 BILL NAYLOR: After ten  
3 years, if you're younger  
4 than sixty-two and haven't  
5 retired with a disability  
6 retirement. So you're  
7 already in the hole  
8 essentially three hundred  
9 and change a month, by the  
10 time you get your first  
11 COLA. Or less than that,  
12 about a hundred and fifty  
13 a month if you're  
14 receiving it because  
15 you're age sixty-two and  
16 your retired disability  
17 retirement.

18 PAUL MIKOLOJAC: So  
19 everyone not sixty-two, is  
20 about three hundred  
21 dollars in the hole versus  
22 their medical insurance  
23 before they get their

82

1 first COLA, which is  
2 thirty-three percent light  
3 every year after that?

4 BILL NAYLOR:

5 Essentially. That's  
6 averages, but yeah.

7 PAUL MIKOLOJAC:

8 Thank you.

9 BILL NAYLOR: Any other  
10 questions for me? All  
11 right. Thank you.

12 PRESIDENT POWERS:

13 Thanks, bill. John?

14 VP LAW ENFORCEMENT

15 HARMON: Just with the  
16 retiree chapter, in your  
17 packet there was some  
18 changes to the retiree  
19 chapter policy. I just  
20 want to go over.

21 In a little while we'll  
22 go over some of the policy  
23 for nonmembers for Janus

83

1 decision pending. But  
2 some of the changes in  
3 here, if approved by the  
4 body under exemptions, any  
5 retiree who is a nonmember  
6 of NYSCOPBA previous to  
7 their retirement or any  
8 retiree been found to have  
9 a felony conviction; or  
10 any retiree that's been  
11 given the one time  
12 opportunity to rejoin the  
13 chapter and fails to  
14 complete and submit  
15 necessary paperwork within  
16 sixty days, those are the  
17 changes to the exemptions.

18 As always if you see  
19 another F, exemptions can  
20 be deemed appropriate by  
21 the NYSCOPBA Executive  
22 Board. But those are the  
23 changes to the policy if

84

1 anybody has any questions.  
2 If not, if everybody is  
3 okay with it.

4 I think it is in the  
5 packet. I thought it was  
6 in the packet. I will get  
7 a copy and get sixty  
8 percent approval from you  
9 guys in a little while.  
10 Sorry.

11 PRESIDENT POWERS:  
12 We'll move into committee  
13 reports. Heath, election?

14 HEATH ALLEN: The  
15 election committee met on  
16 June 4th to count the  
17 votes for the  
18 constitutional amendment  
19 for the retiree dues. The  
20 ballots received was 2390.  
21 Yes ballots was 1369. No  
22 ballots were 985.  
23 Rejected ballots were 36.

85

1 The outcome was yes. The  
2 constitutional amendment  
3 passed.

4 We have -- there are a  
5 couple committee vacancies  
6 for the northern region.  
7 Can we get John Roberts.

8 VP NORTH REGION  
9 ROBERTS: John Roberts,  
10 Northern Region VP. J&E  
11 committee. We nominate  
12 Joe Christiano, Albany  
13 Training Academy.  
14 Publicity and meetings has  
15 an opening. Nomination of  
16 Steve Groom, Great Meadow.  
17 And that opens up two  
18 other committees. Which  
19 we had a meeting last  
20 night and voted for  
21 grievance and legal, Jeff  
22 Guerin, Altona. And Rainy  
23 Day Fund, Anthony Basto,

86

1 Clinton.

2 HEATH ALLEN: All  
3 right. The committee met  
4 this morning. We had two  
5 small elections. One was  
6 for the Bronx Psych  
7 Center, we needed a  
8 steward. We got him,  
9 Steve Erbie.

10 And the second one was  
11 for Mid Hudson Forensic  
12 Psychiatric Center. And  
13 we got three for that. It  
14 was Joseph Merzik, Rick  
15 Babcock and Colin Doyle.  
16 And we have vacancies from  
17 the central region also.  
18 Will the central region  
19 guy step up.

20 VP CENTRAL REGION  
21 CARPENTER: Scott  
22 Carpenter, central region  
23 vice president. Terry

87

1 Curley has retired, we  
2 wish him well. He served  
3 on the finance committee  
4 and the SHU Committee.  
5 We had a meeting, our  
6 regional stewards meeting,  
7 and we nominate Chris Fear  
8 for the finance Committee.  
9 And Joya Sapparino for the  
10 SHU committee. Both are  
11 from Mid-State.

12 HEATH ALLEN: That's  
13 all I got. Any questions?

14 PRESIDENT POWERS:  
15 Mike, Grievance and Legal?

16 VP MID-HUDSON  
17 MAZZELLA: Mike Mazzella,  
18 Grievance and Legal.  
19 Grievance and Legal  
20 committee report for  
21 today, June 13, 2018. The  
22 grievance and legal  
23 committee convened on

88

1 April 26, 2018. Four  
2 grievances were heard and  
3 reviewed by the committee.

4 The grievances reviewed  
5 involved issues of  
6 Workers' Compensation and  
7 health and safety. As a  
8 result of the meeting, the  
9 committee recommended to  
10 have these grievances be  
11 closed. That's three  
12 grievances be closed and  
13 one grievance be held in  
14 abeyance until the next  
15 scheduled GLC meeting.  
16 That is all I have.  
17 Thank you very much.

18 PRESIDENT POWERS:

19 Eladio, Veterans?

20 ELADIO MARTINEZ: Good  
21 afternoon. We don't have  
22 very much to report. All  
23 we have is certifying

89

1 the charges and  
2 documentation, the  
3 committee chose in both  
4 cases to dismiss all  
5 charges. Thank you.

6 PRESIDENT POWERS:

7 Thanks, Tammy. Shaun,  
8 PAC.

9 SHAUN KEENAN: Good  
10 afternoon. The PAC  
11 Committee as of May 31,  
12 2018. It had a starting  
13 balance of a hundred  
14 fifteen thousand, three  
15 hundred seventy-four  
16 thousand deposits for May.  
17 Twenty-five thousand  
18 checks paid out, eighteen  
19 thousand, two hundred  
20 sixty. Ending balance,  
21 one hundred and twenty-two  
22 thousand, one hundred  
23 fourteen dollars. That's

91

1 officials at facilities.  
2 I have contacted Powers  
3 for the next labor  
4 management to be put on  
5 the list. And the  
6 September Veterans tour is  
7 still in affect. Any  
8 questions?

9  
10 (No response.)

11 ELADIO MARTINEZ:

12 Thanks.

13 PRESIDENT POWERS:

14 Thanks, Eladio. Toby,  
15 finance -- correction, J  
16 and E.

17 EXECUTIVE VP SAWCHUK:

18 The J & E committee met on  
19 May 24th to review the  
20 additional screening of  
21 the charges for cases 162  
22 and 163. After reviewing

90

1 pretty much on that.

2 To reiterate what Dan  
3 was saying earlier. We  
4 got election season coming  
5 up. Anybody who has  
6 either new or somebody  
7 seeking the PAC  
8 committee's endorsement or  
9 funds, we are going to  
10 refer those individuals  
11 back to the chiefs of  
12 their areas.

13 So, we will give them  
14 your contact information  
15 and we will go -- you guys  
16 will take it from there.  
17 We need you guys to get  
18 involved with this in  
19 order for everything that  
20 we're talking about;  
21 contract, getting to the  
22 Governor, getting these  
23 things done.

92

1 You need to make those  
2 moves from your sectors.  
3 You need to get your  
4 people. If it's an  
5 Assemblyman, a Senator  
6 from your area, they need  
7 help during their  
8 campaign, you need to get  
9 active and get out there.  
10 Any questions?  
11 Outstanding.

12 PRESIDENT POWERS:

13 Thanks, Shaun. Pete,  
14 Constitution and Bylaws.

15 PETE STETZ:

16 Constitution and bylaws,  
17 as previously told you,  
18 Article 7 dues passed in  
19 regards to retirees. On  
20 to new business.

21 We had a meeting May  
22 10th and again this  
23 morning, addressing the

93

1 regards to -- to explore  
2 adding language to the  
3 Legal Defense Fund. Legal  
4 Defense Fund we were  
5 seeking to be capped at a  
6 maximum of two million  
7 dollars. If the fund was  
8 over two million, the  
9 overage of the funds would  
10 go to the Rain Day Fund.

11 The wisdom behind that  
12 request was due to the  
13 ever changing climate as  
14 well as DOCCs change in  
15 policies and abilities to  
16 suspend our members, this  
17 would aid in keeping the  
18 Rainy Day Fund  
19 self-sustaining and the  
20 funds would continue to  
21 benefit our membership.  
22 This came from Kenny Gold  
23 from Orleans.

95

1 two articles that are  
2 within this. Shortly a  
3 few minutes back, Sergeant  
4 At Arms handed out a  
5 little flyer in regards to  
6 the Rainy Day Fund stats.

7 That information if you  
8 want to look at it,  
9 there's a couple  
10 highlights. It kind of  
11 addresses the first  
12 article, Article 7 dues.

13 NEIL GRUBER: We didn't  
14 get it. I don't think we  
15 got it.

16 PETE STETZ: Do we have  
17 any more of those flyers  
18 regarding the Rainy Day  
19 Fund? Let me try to roll  
20 through this while making  
21 copies, so I apologize.

22 The question was posed  
23 before the committee with

94

1 When we first talked  
2 back on May 10th, he  
3 wasn't present. We did  
4 talk today. The question  
5 was posed to him if he is  
6 asking to amend the motion  
7 of the Legal Defense Fund,  
8 where in that it states  
9 solely for that cause, no  
10 funds are to be allocated  
11 for other reasons.

12 Secondly, we did a  
13 little research and we dug  
14 up this information that  
15 is getting its way around  
16 in regards to the Rainy  
17 Day Fund since its  
18 inception back in March of  
19 2016, is when we started  
20 collecting from our  
21 membership.

22 If you go down the page  
23 in the front it breaks

96



1 down each year. Currently  
2 we have thirty-three  
3 members that are currently  
4 actively receiving funds.  
5 The average length of time  
6 of the members that  
7 receive the Rainy Day Fund  
8 goes approximately twenty  
9 weeks.

10 Currently, a total of  
11 three hundred, fifty-eight  
12 thousand, three hundred  
13 seven dollars. Simply  
14 those are our members who  
15 have gone to arbitration  
16 hearings, gotten awards of  
17 paybacks and has either  
18 not paid the organization  
19 back or they're paying  
20 back, it's slow, bits and  
21 pieces.

22 We have begun  
23 separation benefits to

97

1 members who separate with  
2 service on your after  
3 3/18. Again, if you  
4 recall when the Rainy Day  
5 Fund went through, after  
6 you pay into it for a  
7 year, as you retire you're  
8 entitled to fifty dollars  
9 for every year of service.

10 So, this -- from March  
11 of this year we're up to  
12 about a hundred members  
13 that are entitled to that  
14 fifty dollars, so there's  
15 five thousand dollars  
16 coming out of it.

17 Of our membership, we  
18 have 21,762 active members  
19 contributing to the fund.  
20 To maintain, if we were to  
21 stay at thirty-three  
22 members through this year,  
23 the funds going out to

98

1 them, the total would be  
2 about \$1,500,000. We're  
3 short seven thousand  
4 members to make this work.

5 Ideally, where do we  
6 go? The option was kicked  
7 back to Ken, there's  
8 other -- as we discussed  
9 in previous years when you  
10 want to inflate, you take  
11 it from one, but our --  
12 where we stood with the  
13 Legal Defense Fund is  
14 protected unless this  
15 floor elects to pursue it  
16 and change the language  
17 within the constitution.

18 Also questioning simply  
19 is it a temporary fix? I  
20 mean, right now when I  
21 talked with the treasurer,  
22 I believe it was two point  
23 three million, that was in

99

1 that account. So if they  
2 cap it at 2.3 million, it  
3 would recede the Rainy Day  
4 Fund. Our opinion, it  
5 potentially could be just  
6 a Band-Aid. We don't  
7 know.

8 Thirty-three was just  
9 as of last week, but  
10 that's grown. Not knowing  
11 if there was more  
12 applications in there that  
13 were approved. So with  
14 that, it's back to Ken  
15 however he wants to pursue  
16 this as far as changing  
17 the language or the  
18 article itself.

19 We did defer it to the  
20 finance committee for  
21 their review and Toby has  
22 yet to give their opinion  
23 to the floor here. Any

100

1 questions in regards to  
2 that?

3 KENNY GOLD: Kenny  
4 Gold, Orleans. Is this  
5 being constituted as the  
6 first reading or are we  
7 just bringing up what your  
8 guys committee has come up  
9 with?

10 PETE STETZ: I look at  
11 what you submitted, it  
12 wasn't really a proposed  
13 amendment. It was a  
14 question to our committee  
15 to see.

16 KENNY GOLD: Do you  
17 want to talk about it now,  
18 because I'm going to keep  
19 delaying it as it is, the  
20 language, as to whether it  
21 may be a Band-Aid or not a  
22 Band-Aid, but it's  
23 something to start. With

101

1 the numbers you gave to  
2 all the members here. It  
3 would probably be a good  
4 idea to have everybody to  
5 start looking at the fact  
6 that if we want this  
7 policy, if we want this  
8 Rain Day Fund to keep  
9 working, which I'm sure at  
10 the time of Janus, the  
11 time that we're facing all  
12 around the state, this is  
13 something that's good for  
14 members, it's something we  
15 need to have -- at least  
16 my members feel that way,  
17 we really need to start  
18 looking at a way to make  
19 sure that it's there.  
20 Albeit like you said the  
21 Legal Defense Fund has  
22 specific language that  
23 says it's not to be

102

1 changed, there's an  
2 amendment process and the  
3 whole constitution be  
4 changed, that's why this  
5 is here.

6 So hopefully everybody  
7 really starts looking at  
8 it. It's going to stay at  
9 least for now. I'm going  
10 to put it through for next  
11 EA as a first reading, I  
12 suppose. I'm sure Toby  
13 can talk to the finance  
14 committee to look at it.  
15 I believe they're  
16 recommendation was  
17 adoption of this policy,  
18 but it's something --

19 TREASURER HOGAN:  
20 That's correct.

21 KENNY GOLD: But  
22 whether we move forward  
23 with just this, because it

103

1 would give three hundred  
2 thousand to the Rainy Day  
3 Fund as a quick hit, plus  
4 any dollar over would go  
5 into the Rainy Day Fund  
6 from there on out. But  
7 it's definitely something,  
8 as you can see the  
9 numbers, I believe one of  
10 the numbers we got about  
11 three hundred thousand  
12 dollars of not paid money  
13 back.

14 And, you know, we're  
15 probably going to have to  
16 start looking at that  
17 fifty dollars for the  
18 retirees for every year.  
19 Because if we're having  
20 trouble sustaining the  
21 money now for the members  
22 that are locked out, it's  
23 really going to be hard to

104

1 pay the people that are  
2 retiring because we don't  
3 have any money in the  
4 account. Thanks.

5 TREASURER HOGAN: And  
6 the finance committee's  
7 recommendation was to  
8 adopt it.

9 PETE STETZ: All right.  
10 Second one, Article 3  
11 membership. Membership  
12 and association shall  
13 consist of three types.  
14 First, active membership  
15 shall be open to all  
16 employees. Adding the  
17 language, and titles and  
18 positions represented by  
19 the association.

20 Second, associate  
21 members shall be open to  
22 all retired employees of  
23 any bargaining unit

105

1 represented by the  
2 association.

3 Third, honorary  
4 membership shall be open  
5 to all those individuals  
6 who have been determined  
7 by the association that  
8 made outstanding  
9 contributions to the  
10 association or its  
11 members.

12 Any individual employed  
13 by an establishment whose  
14 employees are represented  
15 by the association, shall  
16 be eligible for membership  
17 in the association upon  
18 their first day of  
19 employment. To become an  
20 active member, an employee  
21 just execute and provide  
22 the association the dues  
23 deduction authorization

106

1 membership card in a form  
2 prescribed by the  
3 association.

4 Individuals granted  
5 membership in the  
6 association shall maintain  
7 their status as members in  
8 good standing by  
9 maintaining their dues and  
10 obligations and by  
11 upholding the constitution  
12 and bylaws.

13 Adding the following  
14 language to this article,  
15 NYSCOPBA services and  
16 member benefits  
17 nonmandated by law, shall  
18 be provided only to  
19 members in good standing.  
20 Once an individual opts  
21 out of membership or  
22 decides not to become a  
23 member, the individuals

107

1 will not thereafter be  
2 permitted to rejoin  
3 NYSCOPBA.

4 The wisdom, this  
5 constitution amendment  
6 prohibits free riders.  
7 This constitution  
8 amendment prohibits free  
9 riders. Nonmembers paying  
10 no union dues or receiving  
11 all services and health  
12 benefits that NYSCOPBA  
13 offers, without  
14 maintaining continuous  
15 membership. NYSCOPBA's  
16 dues paying members should  
17 not have to subsidize  
18 individuals who expect  
19 full services and benefits  
20 from NYSCOPBA without  
21 paying their fair share.

22 Similarly, nonmembers  
23 who suddenly have a need

108

1 for services such as  
2 representation in  
3 disciplinary case, should  
4 not be able to receive  
5 such services simply by  
6 paying dues retroactively.

7 This was submitted by  
8 Mark Deburgomaster, South  
9 Port. Any questions on  
10 this?

11 AL ZAPPALA: Al  
12 Zappala, Shawangunk.  
13 Pete, everything you just  
14 read, can you make a  
15 photocopy and pass it out  
16 to everybody because  
17 unfortunately as you were  
18 reading that, between  
19 being further away from  
20 the mic and whatever what  
21 was going on over here, I  
22 don't think people realize  
23 this is our Janus versus

109

1 This is vitally important  
2 to the membership of  
3 NYSCOPBA. This is  
4 something that we need to  
5 advance prior to the  
6 release of the Janus  
7 decision, either this  
8 common Monday or the  
9 following Monday. It's  
10 coming.

11 It's vital that we pay  
12 attention to what we're  
13 doing here. In the  
14 interim, recognizing the  
15 length of time that this  
16 constitutional amendment  
17 will take, approximately  
18 ninety days, by October  
19 we'll be looking to either  
20 with this body's  
21 recommendations or  
22 changes, we'll be looking  
23 to go forward.

111

1 AFSCME rider that we're  
2 trying to talk about. And  
3 I'm watching everyone's  
4 attention span diminish.  
5 This is what we've been  
6 leading up to for the last  
7 two years.

8 VP WEST MIANO: It's in  
9 the packet.

10 AL ZAPPALA: This thing  
11 that you just read,  
12 exactly, that wasn't in  
13 the packet.

14 VP MID-HUDSON MAZZELLA:  
15 Yeah, it was.

16 AL ZAPPALA: Okay. I  
17 thought you meant in the  
18 folder. Thank you.

19 PETE STETZ: Any  
20 further discussion?

21 PRESIDENT POWERS:  
22 Listen for a second here.  
23 Al, makes a good point.

110

1 But in the interim,  
2 with this decision coming  
3 down, John Harmon has  
4 crafted a policy to enact  
5 in place until this  
6 decision comes down and we  
7 make our proper  
8 adjustments when the  
9 decision comes out so that  
10 we can look at the  
11 language, have our lawyers  
12 look at the language and  
13 then move accordingly.

14 As you remember, we do  
15 have legislation in place  
16 that protects everything  
17 under our umbrella, other  
18 than salary, wages and  
19 benefits. So, everything  
20 else that NYSCOPBA  
21 provides back to its  
22 members, the expert  
23 services of our

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1 departments, with Sharon  
2 and Jocelyn, our  
3 membership services; if  
4 you're not a member, you  
5 don't get it. That's  
6 basically what we're  
7 telling you.

8 John is going to  
9 propose this policy that  
10 was handed out, not in the  
11 packet, it came out a  
12 little bit ago. We'll  
13 pull the policy out, take  
14 a look at it and let's  
15 talk about it.

16 VP LAW ENFORCEMENT

17 HARMON: So, we had a  
18 meeting this week about  
19 Janus versus AFSCME and  
20 the ramifications on the  
21 bargaining unit. It's  
22 going to take until  
23 October, if not December,

113

1 to have a constitutional  
2 amendment passed and into  
3 our constitution, if it's  
4 passed.

5 The issue is, what do  
6 we do in the meantime.  
7 One of the things that  
8 come up because non  
9 members are not part --  
10 will not be part of our  
11 constitution because  
12 they're a non member. So  
13 we need to create a policy  
14 to just deal with the non  
15 members and what how it  
16 applies to them or what  
17 does or what doesn't apply  
18 to them.

19 So this body, all it  
20 means is a working  
21 document, but considering  
22 Monday or the following  
23 Monday, there will be a

114

1 decision on Janus. The  
2 one thing that's been  
3 agreed to not just by the  
4 Executive Board or the  
5 staff at NYSCOPBA or even  
6 the office staff in our  
7 meetings is that if you  
8 are not a dues paying  
9 member or if you're not a  
10 member or inactive member,  
11 you get nothing, period.

12 I don't know who would  
13 think otherwise that a  
14 member is going to choose  
15 to not pay dues, they're  
16 going to opt out  
17 voluntarily and he's going  
18 to ask for you guys to  
19 represent him or us.

20 So, the issue is what  
21 happens when Janus hits.  
22 So next week Janus hits  
23 automatically anybody who

115

1 is an agency shop becomes  
2 a non member. So you'll  
3 whoever is at the training  
4 academy currently, you'll  
5 have some law enforcement  
6 guys who are provisional  
7 hourly, seasonal,  
8 part-time, whatever it may  
9 be, 258 I think it is  
10 right now is the number.

11 The issue is to create  
12 something to protect them  
13 where they have an  
14 opportunity to get back  
15 in, because they haven't  
16 had a chance to be carded  
17 yet or haven't filed their  
18 card yet or whatever it  
19 may be. And how to deal  
20 with those who voluntarily  
21 choose to opt out, which  
22 means they will send a  
23 letter to your department

116

1 or to NYSCOPBA requesting  
2 to be not a NYSCOPBA  
3 member any more.

4 If you look at this,  
5 it's kind of brief.  
6 There's not a lot to it.  
7 Because, one, we're not  
8 going to be offering  
9 anything to non members,  
10 from any services in our  
11 office.

12 The only thing they're  
13 going to be given is what  
14 the law says they'll be  
15 given, which would be the  
16 contractual grievance  
17 process, which is step two  
18 we own. And the  
19 compensatory articles in  
20 the contract. That's what  
21 the law states.

22 What would happen if  
23 the non member calls

117

1 because the executive  
2 assembly, this body is a  
3 governing body. This body  
4 can choose to if you  
5 wanted to some people or  
6 there's many people who  
7 are non members who  
8 realize they made a bad  
9 decision, some time it's  
10 this body's decision to  
11 change that or have an  
12 open enrollment, or  
13 whatever the hell people  
14 want to do.

15 It's pretty clear in  
16 here, we know kind of the  
17 direction we're going. I  
18 would imagine considering  
19 there are a lot of "ifs",  
20 but with those "ifs", we  
21 have to have something in  
22 place in the meantime.

23 The one thing people

119

1 NYSCOPBA Land, which will  
2 be an internal policy or  
3 document for least our  
4 office staff to deal with  
5 is, if you have an issue,  
6 is it a contractual  
7 grievance; yes, no,  
8 goodbye.

9 We're willing to push  
10 the envelope. I know  
11 several times here we  
12 talked about this. It's  
13 kind of the consensus  
14 that, you know, let  
15 somebody tell us we got it  
16 to do something, instead  
17 of giving it to them right  
18 away, excuse my language,  
19 but fuck em. They don't  
20 want to be part of the  
21 organization, you're not  
22 getting nothing.

23 In this document,

118

1 don't understand the law  
2 states that we are  
3 notified in thirty days of  
4 a new hire, it takes a pay  
5 period or two pay periods  
6 for membership services to  
7 get it. And then you got  
8 to send them a member  
9 packet.

10 So there is a lag in  
11 just our own internal  
12 process. And then if we  
13 wait six months, to  
14 hopefully get a pass on a  
15 constitutional amendment  
16 to carve out the member  
17 piece. But because we're  
18 only dealing with a the  
19 nonmembers in this policy,  
20 which are outside of the  
21 constitution, that's why  
22 we want to do a policy to  
23 get this through.

120

1 We imagine there will  
2 be questions, and our guys  
3 are good at finding  
4 angles, so I imagine there  
5 would be some loophole or  
6 something, somebody is  
7 looking at in the future.  
8 But I would ask for sixty  
9 percent approval from this  
10 body to approve this  
11 policy, so that we can  
12 move forward with  
13 something in place.

14 And work on it as it  
15 goes, because there is a  
16 lot of unknowns right now.  
17 The one -- barring a  
18 lightening strike on one  
19 of the justices again,  
20 it's going to go five four  
21 against us. And if  
22 anybody has any ideas  
23 three weeks ago, there was

121

1 a decision from SCOTUS  
2 that went completely  
3 sideways, which means they  
4 were supposed to answer.  
5 Not only did they answer  
6 it, they went above and  
7 beyond their answer and it  
8 absolutely killed labor.

9 So the issue we're  
10 trying to get ahead of  
11 this. And, again, I would  
12 ask for your permission  
13 for sixty percent approval  
14 to talk about this. I'll  
15 give to the chair and ask  
16 for a motion.

17 PRESIDENT POWERS: Can  
18 we have sixty percent  
19 approval from this body,  
20 signify by saying aye to  
21 enact this policy or move  
22 this policy?  
23

122

1 (All respond with aye.)

2  
3 PRESIDENT POWERS:  
4 Anybody opposed? Is there  
5 any discussion regarding  
6 the policy? All in favor?  
7 Willie?

8 WILLIE PEREZ: For  
9 clarity. I see here it  
10 says contractual grievance  
11 process, how about  
12 disciplinary process?  
13 Where does that leave non  
14 members now, what happens  
15 with them?

16 PRESIDENT POWERS: Save  
17 their money, get an  
18 attorney.

19 WILLIE PEREZ: At the  
20 local level, when we get  
21 called down, you guys are  
22 obviously going to give us  
23 a list of who is

123

1 nonmembers. We get called  
2 down, this member -- would  
3 we just walk in and tell  
4 them we can't represent  
5 them?

6 VP LAW ENFORCEMENT  
7 HARMON: Willie, the law  
8 that was put into the  
9 budget concerning the  
10 Janus language, completely  
11 the only two things they  
12 are entitled to is the  
13 contractual grievance  
14 process and compensatory  
15 articles in our contract.  
16 They are not entitled to  
17 any disciplinary  
18 representation, help,  
19 anything.

20 WILLIE PEREZ: Okay.  
21 Thank you.

22 PRESIDENT POWERS:  
23 Thanks, Willie. Al?

124

1 AL ZAPPALA: Al  
2 Zappala, Shawangunk. Just  
3 under Section 3,  
4 nonmembers will be allowed  
5 to become dues paying  
6 member when there's A and  
7 B. Is that A, or B, so  
8 basically --

9 VP LAW ENFORCEMENT  
10 HARMON: Yes. A or B. So  
11 if you're a non -- when  
12 you were first hired  
13 you're a nonmember  
14 automatically based on  
15 what the law states. So  
16 you have forty-five days  
17 to sign the card.

18 If you don't sign the  
19 card in forty-five days,  
20 one, you're going to be  
21 considered to voluntarily  
22 not be a NYSCOPBA member  
23 because that's the way the

125

1 law reads. And the only  
2 other way around it is the  
3 executive assembly has to  
4 make a determination  
5 sometime in the future.  
6 That can be a clarified or  
7 it can be fixed.

8 AL ZAPPALA: Basically  
9 beyond the forty-five days  
10 if somebody wants to come  
11 back in the meantime under  
12 this rider, you guys  
13 submit the name, if all  
14 the chiefs here vote --

15 VP LAW ENFORCEMENT  
16 HARMON: I'll put it to  
17 you this way, if you go  
18 case by case into the  
19 future, it's going to be a  
20 disaster. I would say  
21 that you absolutely tell  
22 them no way in hell are  
23 you getting back in. You

126

1 have basically barred  
2 yourself for life.  
3 Unless this body  
4 sometime in the future  
5 decides hey, we got a  
6 hundred guys, there was an  
7 issue, people got pissed  
8 off and all opted out at  
9 the same time, it was a  
10 problem, can we talk about  
11 it and can we go do it.

12 AL ZAPPALA: Gotcha.  
13 Thank you.

14 MIKE CARLSON: Mike  
15 Carlson, Forest Rangers.  
16 John, can we legally do  
17 what we're doing?

18 VP LAW ENFORCEMENT  
19 HARMON: Yes.

20 MIKE CARLSON: Okay.  
21 Thank you.

22 SHAUN KEENAN: Can you  
23 explain the procedure, I

127

1 don't think everybody is  
2 clear on the procedure  
3 that they have to opt out.  
4 We have a good standing  
5 member right now, they  
6 have to opt out, we don't  
7 opt in.

8 VP LAW ENFORCEMENT  
9 HARMON: Again, this is  
10 speculation based on --  
11 this policy goes in affect  
12 as long as, maybe that  
13 should be in the top, I  
14 apologize. If the  
15 decision goes five four  
16 which everybody is  
17 predicting, five four  
18 against the labor, the  
19 decision that most pundits  
20 and political analysts and  
21 SCOTUS analysts are saying  
22 is that they're not going  
23 to go as far as everybody

128



1 opt in. They're going  
2 to say that you're going  
3 to -- you'll have to opt  
4 out of your membership in  
5 a labor organization.

6 JOE CHRISTIANO: Joe  
7 Christiano, Albany  
8 Training Academy. So  
9 let's look at it this way.  
10 The recruit in the Academy  
11 doesn't sign that card.  
12 We all know most learning  
13 takes place on the job,  
14 not at the academy. So  
15 six months down the road,  
16 they've only had a couple  
17 months of work and they  
18 realize what's going on,  
19 and now they want to opt  
20 into the union.

21 Basically what you just  
22 said, you opt out, that's  
23 it, unless this body

129

1 decides otherwise. They  
2 didn't know any better at  
3 the time. They got on the  
4 job, now they know better.

5 VP LAW ENFORCEMENT  
6 HARMON: Joe, hopefully  
7 whoever is at the Training  
8 Academy doing the NYSCOPBA  
9 presentation can make it  
10 clear what their benefits  
11 of being a NYSCOPBA member  
12 are. Let's put it this  
13 way, I'll use one for a  
14 lot of our guys AFLAC, we  
15 talked to Bill Osterbach  
16 yesterday or the day  
17 before, and he said  
18 because their contract is  
19 based on a member in good  
20 standing, they're not  
21 going to be entitled to  
22 AFLAC, the thirty thousand  
23 dollars.

130

1 There's a lot of  
2 provisions in there and  
3 whether you're a new jack  
4 or not, guess what? You  
5 got to learn your job in a  
6 hurry, you better learn  
7 the benefits of being a  
8 NYSCOPBA member too.

9 PRESIDENT POWERS: Joe,  
10 Dave Viddivo does the  
11 academy and Toby Hogan.  
12 Toby started it at one  
13 point. And we stress,  
14 let's put it this way, our  
15 presentations have gotten  
16 a little longer due to  
17 that. And they're  
18 stressing that very  
19 poignantly at these  
20 instructions.

21 JOE CHRISTIANO: You  
22 guys being there, doing  
23 that, they also have OSI

131

1 on another day there  
2 trying to recruit them  
3 right out of the academy.  
4 So, do they know it  
5 goes -- they're torn  
6 different ways. If they  
7 got family in the  
8 department --

9 VP LAW ENFORCEMENT  
10 HARMON: I guess the  
11 question is, what's the  
12 window?

13 JOE CHRISTIANO: What  
14 time frame --

15 VP LAW ENFORCEMENT  
16 HARMON: This organization  
17 has to draw a line and say  
18 you just can't have an  
19 open enrollment period  
20 forever. And you would  
21 have -- you would have our  
22 members or former members  
23 play that game, oh, I

132

1 didn't know, something  
2 changed. I have a  
3 different opinion now.  
4 You know what --

5 JOE CHRISTIANO: This  
6 ain't about people that  
7 are on the job, this is  
8 about a brand new  
9 employee. Could we put a  
10 window say six months on  
11 the job, if you want to  
12 opt in --

13 VP LAW ENFORCEMENT  
14 HARMON: No way. I think  
15 that's crazy. Guess what?  
16 If we can't define and  
17 explain our benefits to  
18 let somebody know what  
19 they're getting, shame on  
20 us. Shame on us.

21 JOE CHRISTIANO:  
22 Because you learned every  
23 single thing about this

133

1 say, oh, by the way OSI is  
2 coming in next. But make  
3 sure you're aware of this,  
4 you get jammed up in your  
5 first year and you don't  
6 sign this card, you can do  
7 it on your own.

8 Guess what? If you got  
9 probies that want to do  
10 that, good luck.

11 JOE CHRISTIANO: You  
12 got OSI telling them don't  
13 use force in the first  
14 year and they don't. Guys  
15 here can attest to the  
16 fact people in facilities  
17 are doing just that.

18 VP LAW ENFORCEMENT  
19 HARMON: This, Joe, goes  
20 beyond -- I think you're  
21 mixing a few things.

22 JOE CHRISTIANO: I'm  
23 not mixing things, I'm

135

1 job at the academy?

2 PRESIDENT POWERS: Joe,  
3 it's not about the job.  
4 It's about the benefits  
5 that this organization  
6 offers.

7 JOE CHRISTIANO: I'm  
8 just pointing out that you  
9 learn a lot afterwards.

10 VP LAW ENFORCEMENT  
11 HARMON: One you thing you  
12 do know is that you're  
13 told you get probation  
14 representation by this  
15 organization; you won't  
16 get that. That's over.  
17 You won't get that.

18 JOE CHRISTIANO: I  
19 understand that.

20 VP LAW ENFORCEMENT  
21 HARMON: So I go to the  
22 academy and I give my  
23 NYSCOPBA presentation, I

134

1 just saying there should  
2 be something for a new  
3 employee. They don't know  
4 the ins and outs. They  
5 hear you talk, they hear  
6 us talk. They don't know  
7 everything. They don't  
8 retain everything. There  
9 should be something there  
10 for brand new members.

11 VP MID-HUDSON MAZZELLA:  
12 Mike Mazzella, Mid-Hudson.  
13 Currently in my region we  
14 get a lot of the new  
15 employees. And right now  
16 I think we may only have  
17 two or three members in  
18 our whole region that are  
19 not members, that are  
20 agency shop.

21 So, everybody is  
22 signing the cards now,  
23 right. Two or three

136

1 members aren't  
2 probationary. There might  
3 be one that's  
4 probationary. So  
5 everybody coming into the  
6 system is signing the  
7 cards now. So, it's not  
8 going to matter much.  
9 They already know.

10 They're sitting in that  
11 room, they know, hey,  
12 listen, I got to be a part  
13 of this union. But now  
14 they get an option to opt  
15 out. But I think once we  
16 give that speech to  
17 everyone sitting in that  
18 room and say, you get  
19 jammed up at all in you're  
20 first year, you're not  
21 getting union  
22 representation unless you  
23 sign that card. That's

137

1 going to be up to you.

2 Just be aware that even  
3 though Civil Service Law  
4 makes it very, very simple  
5 to terminate your  
6 employment, if you don't  
7 have the union backing  
8 you, you're definitely  
9 getting terminated. I  
10 think they're going to  
11 sign the card.

12 JOE CHRISTIANO: I'm  
13 also looking towards the  
14 future because this  
15 department changes every  
16 single day. I'm looking  
17 out for the future of this  
18 membership.

19 PRESIDENT POWERS:  
20 Quite frankly, that's  
21 exactly what we're doing.

22 VP LAW ENFORCEMENT  
23 HARMON: But, Joe, the one

138

1 thing is we have to have  
2 something in place now.  
3 Let's say, six months down  
4 the road, a year down the  
5 road, this needs to be  
6 changed and there needs to  
7 be an amendment to the  
8 policy or a new  
9 constitutional amendment;  
10 we'll have the ability to  
11 do that.

12 But at this point when  
13 you look at how new hires  
14 have signed up  
15 historically, if that  
16 changes, maybe we revisit  
17 something. But right now,  
18 we're looking for  
19 something to at least get  
20 this under control prior  
21 to a decision, so if a  
22 decision does happen, we  
23 have something in place to

139

1 counter act it.

2 SHAUN KEENAN: Keenan  
3 out of Wende. Question  
4 for you. When you  
5 signed -- how many years  
6 ago did you sign that  
7 card.

8 JOE CHRISTIANO: Almost  
9 twenty-four.

10 SHAUN KEENAN: Did  
11 somebody tell you to sign  
12 it or was it your choice?

13 JOE CHRISTIANO: It was  
14 my choice, but I didn't  
15 have OSI telling me come  
16 work for me.

17 SHAUN KEENAN: I'll  
18 work with you on that.  
19 It's the same thing,  
20 twenty-nine years ago when  
21 I signed mine, same thing,  
22 nobody -- you know what  
23 you're supposed to do.

140

1 And these guys know this.  
 2 We need to let them  
 3 know -- you can't tell me  
 4 anybody coming into this  
 5 department now doesn't  
 6 know at least one or two  
 7 people that are already in  
 8 this department. They  
 9 know the way it's going.  
 10 They knew it before they  
 11 go to the academy.

12 PRESIDENT POWERS:  
 13 Let's keep it to the  
 14 policy here.

15 STEVE MARASCO: Steve  
 16 Marasco, Shawangunk. I  
 17 just have one question.  
 18 When they're offered that  
 19 card, is it less than 45  
 20 days before they get out  
 21 of the academy and come to  
 22 OJT with us?

23 VP LAW ENFORCEMENT

141

1 BILL SELLERS: Day  
 2 four.

3 VP LAW ENFORCEMENT  
 4 HARMON: So, what will  
 5 happen though is they'll  
 6 have forty-five days. So  
 7 once the trigger hits that  
 8 wet notified and that  
 9 forty-five day window  
 10 starts, they got  
 11 forty-five days. They  
 12 should have already been  
 13 offered the card.

14 But let's just say  
 15 something happened they  
 16 weren't there for the  
 17 NYSCOPBA presentation at  
 18 the Academy. They'll be  
 19 offered the card, they'll  
 20 be asked to sign it. They  
 21 will be voluntary -- if  
 22 they choose not to sign  
 23 it, I mean, our members

143

1 HARMON: Yes.

2 STEVE MARASCO: So, we  
 3 can say hey, did you sign  
 4 the card?

5 VP LAW ENFORCEMENT

6 HARMON: What happens and  
 7 what will happen, and  
 8 we had a meeting with  
 9 Stephanie and membership  
 10 services as well. It  
 11 takes a pay period, two  
 12 pay periods for the new  
 13 hire to come hit us. When  
 14 that happens, the  
 15 forty-five day trigger  
 16 automatically hits.

17 Within that period  
 18 typically, our guys, Billy  
 19 Sellers or Dave Viddivo,  
 20 whoever it may be will be  
 21 at the academy usually  
 22 giving the NYSCOPBA  
 23 presentation.

142

1 are good at throwing shit  
 2 out, but they might want  
 3 to think about this going  
 4 forward because there will  
 5 be a presentation.

6 And for like law  
 7 enforcement members,  
 8 unfortunately we don't  
 9 have the ability for  
 10 academy or any on the job  
 11 training opportunities  
 12 like some of you do. We  
 13 will -- there will be guys  
 14 going around the state  
 15 making sure guys have been  
 16 carded in that time  
 17 period.

18 KENNY GOLD: Kenny  
 19 Gold, Orleans. John, just  
 20 moving forward, if we vote  
 21 this in today, it's  
 22 enacted today in theory,  
 23 correct?

144

1 VP LAW ENFORCEMENT  
2 HARMON: As long as the  
3 Janus decision hits,  
4 because that's going to  
5 identify what a non member  
6 is.

7 KENNY GOLD: That being  
8 said, other than us  
9 putting it out to our  
10 membership, this is  
11 something we probably want  
12 to -- can we blast e-mail?

13 VP LAW ENFORCEMENT  
14 HARMON: We're going to  
15 want this done today.  
16 Because everything we're  
17 getting is Monday is going  
18 to be the decision,  
19 they're not going to wait  
20 until the last day.

21 KENNY GOLD: Are we  
22 looking to put something  
23 to the membership in

145

1 either a mailing form?  
2 VP LAW ENFORCEMENT  
3 HARMON: Yes. On that,  
4 with Bill Osterbeck  
5 yesterday, he's putting  
6 together all the benefits  
7 that Norvest is involved  
8 in and everything that  
9 you're entitled to as a  
10 good member in good  
11 standing or a full member,  
12 or whatever it may be.  
13 And that will be part of  
14 the new packet going  
15 forward.

16 CHRIS MOREAU: Chris  
17 Moreau, Green Haven. I  
18 agree with the policy  
19 completely. I think most  
20 of my members will as  
21 well. I think the concern  
22 though is when we get a  
23 nondues paying member that

146

1 goes in to see OSI and  
2 we're not in there, what  
3 protection do our dues  
4 paying members have from  
5 that member rolling?  
6 Because they go in there  
7 with OSI, you don't know  
8 what they're saying.

9 VP LAW ENFORCEMENT  
10 HARMON: They do it now.  
11 I mean, I guess that's the  
12 problem. You got dues  
13 paying members that do it  
14 now.

15 CHRIS MOREAU: The  
16 difference is now, at  
17 least we're in the room  
18 and we can hear what's  
19 being said.

20 VP LAW ENFORCEMENT  
21 HARMON: Not if they  
22 choose not to have you  
23 there. That's part of the

147

1 issue right now. You  
2 know, we try to delineate  
3 between what  
4 representation for a  
5 disciplinary or a Q and A  
6 is, but guess what? We  
7 can go in now without no  
8 representation, if we so  
9 choose. And we  
10 unfortunately have members  
11 that are like that little  
12 rat that was running  
13 around here.

14 PRESIDENT POWERS: Just  
15 so we know, we don't have  
16 a rat in the room, we've  
17 got a vermin running  
18 around the room.

19 VP LAW ENFORCEMENT  
20 HARMON: Okay. Anything  
21 else? So, we're looking  
22 for approval to move this  
23 policy forward. It's all

148

1 pending the Janus versus  
2 AFSCME decision. All  
3 those in favor say aye?

4  
5 (All respond with aye.)

6  
7 VP LAW ENFORCEMENT  
8 HARMON: Anybody against  
9 it?

10  
11 (No response.)

12  
13 VP LAW ENFORCEMENT  
14 HARMON: Thank you.  
15 PRESIDENT POWERS:  
16 Consent to move into  
17 tomorrow's agenda, signify  
18 by saying aye.

19  
20 (All respond with aye.)

21  
22 PRESIDENT POWERS:  
23 Thank you. Unfinished

149

1 business. In your packets  
2 you will see there was  
3 sent out in your packets  
4 the motion from Chris  
5 Summers and seconded by  
6 Toby Hogan, change in the  
7 Catastrophic policy which  
8 was attached. I'll read  
9 the motion.

10 Change the  
11 catastrophic policy, see  
12 attached. Motion is made  
13 by Chris Summers, seconded  
14 by Toby Hogan. Any  
15 discussion?

16  
17 (No response.)

18  
19 PRESIDENT POWERS: All  
20 in favor signify by saying  
21 aye?

22  
23 (All respond with aye.)

150

1  
2 PRESIDENT POWERS  
3 Anybody opposed?

4  
5 (No response.)

6  
7 PRESIDENT POWERS: New  
8 business. Is there any  
9 new business? Before new  
10 business, we'll have John  
11 revisit the retirement  
12 policy.

13 VP LAW ENFORCEMENT  
14 HARMON: Quickly, we're  
15 looking for sixty percent  
16 to entertain the  
17 amendments to the retiree  
18 chapter policy that  
19 everybody was given.  
20 Everybody signify by  
21 saying aye.

22  
23 (All respond with aye.)

151

1  
2 VP LAW ENFORCEMENT  
3 HARMON: Any nays?

4  
5 (No response.)

6  
7 VP LAW ENFORCEMENT  
8 HARMON: Okay. Just  
9 to know you got it, at the  
10 bottom there for the  
11 changes, the non members  
12 like we talked about in  
13 the policy for the Janus  
14 that went out for the free  
15 rider policy that was out.

16 So, if anybody chooses  
17 to be a non member, they  
18 will automatically be  
19 disqualified from being a  
20 retiree chapter member. I  
21 can tell you this, again  
22 speaking with Bill  
23 Osterbach and Rowe

152

1 yesterday, they actually  
2 said that that should be a  
3 thing that members that --  
4 those who are thinking  
5 about being a non member  
6 might rethink it because  
7 of the benefit of being a  
8 retiree chapter member,  
9 the benefits you get with  
10 it.

11 That should be  
12 something that people  
13 understand. The other one  
14 is -- any retirees found  
15 to have a felony  
16 conviction, that was put  
17 in there because of a  
18 couple issues we've had.

19 I will say this, I  
20 brought this example up to  
21 the committee, let's just  
22 say DWI, you know, not  
23 saying right, wrong or

153

1 indifferent, but that's  
2 why in here the Executive  
3 Board can look at  
4 exceptions as deemed  
5 appropriate.

6 The other thing in here  
7 is any retiree who has  
8 been given the one time  
9 opportunity to rejoin the  
10 chapter fails to complete  
11 and submit the necessary  
12 paperwork within sixty  
13 days, that is just a time  
14 frame just like anything  
15 else. You have a period  
16 to sign up for the retiree  
17 chapter or resign up for  
18 the retiree chapter.

19 Again, if there is an  
20 issue with that, whatever  
21 it may be, logistics,  
22 moving, whatever it is,  
23 that could be brought to

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1 the attention of the  
2 retiree chapter and the  
3 executive board; and if is  
4 appropriate, the changes  
5 could possibly be made.

6 And that's the only  
7 changes to the policy as  
8 it currently exists.  
9 Anybody have any questions  
10 on the policy? Okay. If  
11 you're in favor, please  
12 say aye.

13 (All signify "aye".)

14 VP LAW ENFORCEMENT

15 HARMON: Any nays?

16 (No response.)

17 VP LAW ENFORCEMENT

18 HARMON: Thank you.

19 PRESIDENT POWERS:

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1 Let's get the door in the  
2 back. On to new  
3 business. Is there any  
4 new business?

5 Okay. Just a couple  
6 quick things here. Just  
7 keep an eye on your  
8 in-box. We're going to  
9 have some information  
10 coming to you pretty  
11 quickly here regarding  
12 Janus, keep an eye on your  
13 in-box as to any decision  
14 that comes down the pipe,  
15 anything that we'll be  
16 doing, we will be sending  
17 something out shortly.  
18 Recognizing all the  
19 benefits that a NYSCOPBA  
20 member gets.

21 It will be a  
22 regurgitation obviously of  
23 other e-mails you've seen,

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1 but warrant the --  
2 recognize the importance  
3 of it and share it at your  
4 union meetings and discuss  
5 it back with your members.

6 Raffle tickets, again,  
7 we have raffle tickets.  
8 Two Glocks being raffled  
9 off for a member. See  
10 Lisa in the back. I'd  
11 like to acknowledge a lot  
12 of hard work that went  
13 into a lot of what we  
14 presented here today.

15 Collective bargaining  
16 committee, the hard work  
17 that they've done under  
18 the leadership of Mike and  
19 John, through the  
20 leadership of the board.  
21 Your advocacy for your  
22 members back at your  
23 facilities, more

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1 importantly.

2 And the staff that we  
3 have constantly that are  
4 readily available to you.  
5 It's not necessarily your  
6 board members, but it's  
7 your business agents, it's  
8 your support services.  
9 It's out our health and  
10 safety specialists, it's  
11 our membership services,  
12 it's our reception, our  
13 accounting, everything.

14 And I'd like to  
15 acknowledge the staff at  
16 102 Hackett Boulevard for  
17 the diligent work that  
18 they do. Being forthright  
19 in their operations,  
20 staying on top and  
21 sometimes keeping us on  
22 top of things.

23 But I'd like to

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1 acknowledge all the  
2 offices of 102 Hackett  
3 Boulevard, NYSCOPBA Land.  
4 From Workers' Compensation  
5 and health specialists to  
6 health care specialists to  
7 our accounting department,  
8 membership services and  
9 everybody. Let's give  
10 them a round of applause.

11  
12 (All applause.)  
13

14 PRESIDENT POWERS: For  
15 Darlene, our stenographer  
16 who comes down here quite  
17 often and gets comedic  
18 relief from us. Thanks,  
19 Darlene, for everything  
20 that you do.

21 That's pretty much all  
22 I got. So, keep up the  
23 good fight, keep bringing

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1 back the message to the  
2 members. Make sure the  
3 members are out there,  
4 make sure you're informing  
5 our members that are out  
6 there of the benefits that  
7 they're going to lose if  
8 they opt out. Michael?

9 VP MID-HUDSON MAZZELLA:  
10 Mike Mazzella, Mid-Hudson  
11 Region VP. I've got two  
12 quick things. Number one,  
13 is if you have state  
14 housing in your area, your  
15 facility, if you notice  
16 any changes in the  
17 operations of how they're  
18 doing things; for instance  
19 at Green Haven, we use  
20 Stewart International  
21 Guard Base as the state  
22 housing. And recently  
23 they are telling the

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1 people living there, our  
2 members, that they can no  
3 longer have computer type  
4 chairs or comfortable  
5 chairs, because this is  
6 temporary housing, it's  
7 not your home. And TVs as  
8 well, they're being told  
9 they can't have TVs.

10 So, if you're getting  
11 stuff like this in your  
12 region or your area, let  
13 your regional VP know.  
14 And we're going to have to  
15 start looking at that.  
16 The second thing is the  
17 Emerald Society Pipe Band  
18 has a giant gaping hole in  
19 their heart because if you  
20 didn't know Steve Merson  
21 passed away.

22 Steve was a union rep  
23 for many years and pretty

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1 much was with that pipe  
2 band since it started.  
3 And I just wanted to give  
4 him a quick moment of  
5 silence so we can honor  
6 him.

7 PRESIDENT POWERS: Can  
8 well all stand, please?  
9 Thanks, Mike.

10 (Whereupon, a moment of  
11 silence was then  
12 recognized.)

13  
14  
15 VP MID-HUDSON MAZZELLA:  
16 Thank you.

17 PRESIDENT POWERS:  
18 Kenny?

19 KENNY GOLD: Kenny  
20 Gold, Orleans. Maybe I  
21 missed something, but are  
22 we gonna talk at all about  
23 this PR blitz, campaign,

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1 whatever the name of that  
2 company is that came up  
3 here. What we're going to  
4 do, what we're going to  
5 spend, what does it  
6 entail.

7 PRESIDENT POWERS: Was  
8 the price thrown out  
9 there?

10 KENNY GOLD: The price  
11 of what their cost is.

12 PRESIDENT POWERS:  
13 They're eighty-five  
14 thousand dollars.

15 KENNY GOLD: But that's  
16 before you get into  
17 billboards or whatever  
18 else they're going to do.

19 PRESIDENT POWERS: We  
20 don't have all that  
21 because we don't know --  
22 again, it's a very  
23 strategic and political

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1 campaign. It's going to  
2 be rolled out here. It's  
3 going to be done kind of  
4 covertly.

5 I mean, is anybody in  
6 here opposed to not firing  
7 off a campaign against the  
8 Governor?

9 KENNY GOLD: It's not  
10 that we're opposed, at  
11 least I'm speaking for  
12 myself. It's probably  
13 going to go higher than  
14 eighty-five thousand, with  
15 their costs and whatever  
16 else they're going to do.

17 They're going to need  
18 some sort of approval from  
19 this body to say, okay,  
20 we're going to go. And  
21 I'm not saying that  
22 anybody would be against  
23 going after the Governor

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1 or against any of that.

2 But we don't even know  
3 what budget line we're  
4 going to have this come  
5 out of, we don't have any  
6 facts of what's going to  
7 happen at this point.

8 PRESIDENT POWERS: We  
9 don't know what it's going  
10 to take to get their  
11 attention. We might get  
12 it immediately.

13 Strike anything from  
14 the record about going  
15 after the Governor.

16 Kenny, it's a good  
17 point. If you want to  
18 make a motion, if you want  
19 to open it back up for  
20 discussion.

21 KENNY GOLD: Yeah, have  
22 someone talk about what  
23 we're looking at doing.

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1 record.)

2  
3 PRESIDENT POWERS: Back  
4 on the record.

5 Thank you, Donn.

6 KENNY GOLD: Kenny  
7 Gold, Orleans. To be  
8 clear on Gramercy, we're  
9 basically giving you guys  
10 a blank check to spend  
11 whatever you feel  
12 comfortable to spend on  
13 this campaign? We'll know  
14 more with whatever we have  
15 left.

16 PRESIDENT POWERS:  
17 Anything else that goes  
18 above that, we'll come  
19 back here for approval, if  
20 it gets to that.

21 KENNY GOLD: Do we know  
22 how much we have in the PR  
23 line right now?

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1 Because we're going to go  
2 back to our members and  
3 say, we have no idea what  
4 we're going to spend. We  
5 just sat here the last  
6 couple EAs talking about  
7 putting out some sort of  
8 campaign and now we're  
9 just going to spend money  
10 without having any idea  
11 what it's going to be  
12 because we're just going  
13 to fly by the seat of our  
14 pants.

15 PRESIDENT POWERS: It's  
16 going to be a very covert,  
17 and strong --

18 Let's go off the  
19 record. Unanimous consent  
20 to go off the record?

21 (All respond with aye.)

22 (Discussion off the  
23

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1 PRESIDENT POWERS: Not  
2 off the top of my head.  
3 Toby? Last EA we had  
4 almost nine hundred  
5 thousand, didn't we?

6 While we're waiting on  
7 that, is there any  
8 objection to withdrawing  
9 the Baker PR proposal for  
10 public relations? Any  
11 objections?

12 (No response.)

13  
14 PRESIDENT POWERS:  
15 Seeing none, the  
16 Executive Board will  
17 withdraw the motion to  
18 hire Baker PR.

19 TREASURER HOGAN: 1.1.

20 PRESIDENT POWERS: 1.1  
21 million.

22 KENNY GOLD: Toby, does  
23

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1 that include the regional  
2 PR as well?

3 TREASURER HOGAN: No.

4 KENNY GOLD: Didn't we  
5 combine the lines, the  
6 regional PR line with the  
7 PR?

8 TREASURER HOGAN:  
9 That's all the lines  
10 total.

11 PRESIDENT POWERS: Is  
12 there a motion? Any more  
13 discussion?

14 KENNY GOLD: Mike, I  
15 don't know if there's a  
16 motion. But, I think we  
17 should really try to  
18 figure out what your  
19 parameters are, what you  
20 can spend, what you can't  
21 spend, because obviously  
22 you want to move quickly  
23 on this.

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1 is saying, I do. But I  
2 wouldn't mention a name of  
3 course but we're mounting  
4 a campaign to go on the  
5 offensive against someone  
6 that we've all been dying  
7 to do for many years.

8 If we need to spend a  
9 little bit more above  
10 budget, I'm okay with  
11 that. It's not going to  
12 bankrupt the union. The  
13 Executive Board has the  
14 authority to spend, matter  
15 of fact I guess it was  
16 from your vote in here, I  
17 was on vacation at that  
18 time, I think it was a  
19 hundred twenty-five  
20 thousand or something like  
21 that, right? A hundred  
22 twenty-five thousand  
23 dollars without having to

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1 PRESIDENT POWERS:  
2 Spend eighty-five thousand  
3 to get this off the  
4 ground.

5 KENNY GOLD:  
6 Eighty-five thousand to  
7 get them moving, but we  
8 don't know what they can  
9 or cannot do, because we  
10 don't know what kind of  
11 money we can give them to  
12 do it.

13 PRESIDENT POWERS:  
14 General operations we've  
15 got 1.11 in General Ops.

16 VP MID-HUDSON MAZZELLA:  
17 1.11 million.

18 KENNY GOLD: There's a  
19 million in the general  
20 budget in General Ops?

21 VP MID-HUDSON MAZZELLA:  
22 Mike Mazzella, Mid-Hudson  
23 Region. I get what Kenny

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1 come in front of this  
2 assembly.

3 So, we do have -- we  
4 have the eighty thousand  
5 in there anyway, so we'll  
6 spend that to get that  
7 running. And then we'll  
8 figure out what we'll do  
9 if it goes above that.

10 PRESIDENT POWERS:

11 Is there any objection  
12 from this body to move  
13 forward with the campaign,  
14 starting off spending  
15 eighty-five thousand with  
16 Gramercy to mount a  
17 political campaign against  
18 the unknown individual --  
19 unnamed individual, for  
20 our benefit? Is there any  
21 objection?

22 VP MID-HUDSON MAZZELLA:  
23 No objection.

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PRESIDENT POWERS: No objection. Thank you. Anything else? One other thing I do want to mention, some of our hardworking vendors as well, not only our staff, our business agents, our Board, you guys, your stewards back in the jails, but our law firms, our lobbyists. The people on the ground every day, pounding it out on our behalf and recognizing that this was a pretty heavy year for a lot that went on.

We were able to protect a lot of what we, this body, previous administrations of this body have been able to

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(All respond with aye.)

\* \* \* \*

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preserve, advance. And we're here to let them know that we're here to try to protect everything that they've done in the past.

So I'd like to add that, recognizing where recognition is due to our legislative director, to our PAC committees, to our CBC committee, each and every committee. So keep that and recognize that, and share that with your members as well. And let them know we're always working with them.

Motion to adjourn. Neil Gruber, first. Second, Bill Ruland. All in favor say aye.

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1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

I, DARLENE L. JERGE, a Notary Public in and for the State of New York, County of Erie, DO HEREBY CERTIFY that the minutes were taken down by me in a verbatim manner by means of stenographic Machine Shorthand, on JUNE 13, 2018. That the minutes were then reduced in writing under my direction.

I further CERTIFY that the above-described transcript constitutes a true and accurate and complete transcript of the minutes taken.

  
-----  
DARLENE L. JERGE,  
Notary Public.

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