

## **EXECUTIVE BOARD MINUTES**

**Date:** November 13, 2018 Meeting called to order @ 9:20am

**ROLL:** Michael Powers, President  
Tammy Sawchuk, Executive Vice President  
Chris Summers, Recording Secretary  
Frank Gilbo, Treasurer  
Scott Carpenter, VP Central  
Mike Mazzella, VP Mid-Hudson  
Joe Miano, VP Western  
Clarence Fisher, VP Southern  
John Roberts, VP Northern  
John Harmon, VP LE

**Attorney:** Larry Schaefer– LMWF

**Guests:** Bill Sellers- Sergeant Liaison, Keith Jacques - LMWF

**Minutes:** minutes sent via email for approval (Attached to the agenda sent out on November 9, 2018)

### **Directive Changes:**

4912	9202	9730	4910
8341	8250	4933C	4090
4932A	2215	3057	8710
9100	4029	4938	0081
3050	2734	2402	2216
2219	0024	2012	2713
2207	9390	2803	

**Next meeting:** December 11, 2018 9:00am in Syracuse

**Correspondence:** None

### **President's Report–**

#### **Executive Vice-President-**

10/15/18 Office P/C Ryan Donovan SL Ligation

10/16/18	Office	
10/17/18	Office	2 <sup>nd</sup> Interview Dana Betts
10/18/18	Office	
10/19/18	Office	Disability Appeal Review P/C Tom Latin
10/22/18	Office	Reviewed Draft Directive Tablets Andrea Stewart Cousins
10/23/18	Office	Meeting with Dave Viddivo NTSCOPBA Group
10/24/18	Office	
10/25/18	Office	Graziano Memo JPAY
10/26/18	Office	Reviewed Website Stats
10/27/18	Office	Member Call LDF
10/29/18	Office	
10/30/18	Office	
10/31/18	Office	
11/01/18	Office	Reviewed Member Roster and Expelled Report
11/02/18	Office	Reviewed Legal Report IP Count 36
11/05/18	Office	
11/06/18	Office	
11/07/18	Office	NEA Contract Meeting
11/08/19	Office	Meeting Bill Naylor Vets
11/09/18	Office	
11/12/18	Office	
11/13/18	Office	Board Meeting

Numerous Phone calls on Contract -W/C- Mandatory OT- Clear Bag IP and SL Litigation

**Treasurer's Report-**

Total Cash-10.86m

Rainy Day- 103k

Legal Defense- 2.52m

Unrestricted Bond- 6.11m

Restricted Bond 1.49m  
Gen Op.- 1.93m

### **Regional Vice-President's Reports**

#### **Law Enforcement Report:**

- Collective Bargaining Committee met on October 15, November 6,7,13, Mediation Day 2 October 16, Mediation Day 3 November 14.
- OMH Assault Report Bill update from law firm needed. Need to address the inaccurate reports that have been generated using patient/inmate initiated reports not employee driven. Have not received report for any quarter of 2018.
- SHTA Retirement Questionnaire has been finished and a list of those affected is being drafted for the legislation.
- Statewide MOU for seniority lists has been finished and is being prepared for distribution to agencies. OPWDD was sent document.
- CNYPC workers compensation discrimination case appealed and awaiting answer any day.
- Attended several PR Events and met with PR clients for branding and advertising plans.
- SSO Peace Officer duties being questioned due to Creedmoor PC issues. Attorney talked to OMH Administration about issue and meeting with Creedmoor and OMH commenced. Still awaiting date of meeting.

#### **Southern Region Report:**

10/9/18 - Attended Eboard meeting in Albany

10/10/18 - Attended Publicity and Meetings committee meeting and EA

10/11/18 - Last day EA

10/12/18`- In office

10/16/18 - In office

10/18/19 - In office

10/19/18 - IN office

10/20/18 - Attended Sing Sing vs Westchester Corrections football game

10/22/18 - In office

10/23/18 - At Edgecombe C.F.

10/24/18 - At LMWF for arb prep

10/25/18 - In office

10/26/18 - Day 1 arbitration in Tarrytown

10/29/18 - Q & A at Fishkill C.F.

10/31/18 - IN office

11/5/18 - IN office

11/6/18 - Day 2 arbitration in Tarrytown

11/12/18 - IN office

NOD - 7

Settlements- 7

Q & A - 5

Suspensions - 4

Terminations - 2

Demotions - 1

Reported measles cases at Sing Sing C.F. Came back negative

B.A. Courtney Nixon was promoted to Lt. David Luther was temporarily appointed to B.A. until confirmed by EA.

**Western Region Report:**

10.11.18 = EA

10.12.18 = Office

10.15.18 = Arb. Prep, Q&As(6) 4-Orleans 2- Southport — Wende OSI Office

10.16.18 = Office, CBC Mediation

10.17.18 = Office, Willard Site Visit, WPV Training Syracuse

10.18.18 = Office, Q&As (2) South Port- Wende OSI Office

10.19.18 = Q&A Orleans-Wende OSI Office, Arb. Prep, Assmb. Hawley Event

10.22.18 = Office, Groveland Site Visit, Q&As (3) Orleans-Wende OSI Office

10.23.18 = Office, Q&As (2) Orleans-Wende OSI Office

10.24.18 = Office, Travel

10.25.18 = Office, WPV Training Lake Placid

10.26.18 = Office, WPV Training Lake Placid

10.29.18 = Office, EHS Albion-North Tonawanda

10.30.18 = Office

10.31.18 = Q&As (4) Auburn-Utica, Arb. Gowanda — Buffalo

11.1.18 = Office, Arb. Gowanda —Buffalo

11.2.18 = Q&As (2) Wende-Wende (1) SouthPort-Wende, Arb. Gowanda-Buffalo

11.5.18 = Office

11.6.18 = Office, Arb. Prep, IP Livingston — Albany

11.7.18 = Office, Arb. Gowanda-Buffalo, Retirement Committee

11.8.18 = Office, Arb. Gowanda-Buffalo

11.9.18 = Office, Arb.Gowanda-Buffalo

11.12.18= office, Travel (Albany)

Western Region Disciplines

Suspended=20 Adm Leave= 3 NODs= 38 RDF Eligible=6

**Central Region Report:**

10/12/18 – NYSCOPBA E.A. Day #2 / Step II grev. hearings @ Mohawk and Marcy CF

10/13/18 – Central region office hours

10/15/18 – Central region office hours

10/16/18 – Central region office hours

10/17/18 – Central region office hours

10/18/18 – Central region office hours

10/19/18 – Central region office hours

10/22/18 – Central region office hours / Attend member funeral in Watertown NY

10/23/18 – Central region office hours / Attend Watertown CF Union mtg.

10/24/18 – Central region office hours / Attend retiree member funeral in Utica NY (Mohawk CF)

10/25/18 – Central region office hours

10/26/18 – Central region office hours

10/29/18 – Central region office hours

10/30/18 – Central region office hours

10/31/18 – Central region office hours / OSI Q&A Utica NY state office bldg. Watertown CF

11/01/18 – Central region office hours

11/02/18 – Central region office hours

11/05/18 – Central region office hours / OSI Q&A Utica NY state office bldg. Mohawk CF

11/06/18 – Central region office hours / Attend Midstate CF union mtg. 7A-3P-11P

11/07/18 – Central region office hours

11/08/18 – Central region office hours

11/09/18 – Central region office hours

11/12/18 – Central region office hours

11/13/18 – Central region office hours / VP to Albany HQ for Executive Board mtg.

### **Mid-Hudson Region Report:**

10/09/2018 - Meeting in NYC

10/10/2018 - Executive Assembly

10/11/2018 - Executive Assembly

10/15/2018 - Disciplinary Arb Prep in Albany and CBC Meeting

10/16/2018 - Mediation

10/17/2018 - Q&A's in Albany

10/29/2018 - Otisville PESH Inspection

10/30/2018 - Disciplinary Arb Prep in Albany

10/30/2018 - Meeting at Hudson regarding Drug swab

11/06/2018 - CBC

11/07/2018 - CBC

Coxsackie - Nothing major reported

Downstate - A member out on Worker's Comp due to an assault on staff has received a termination letter for being out on comp for a year.

Eastern - Nothing major reported

Fishkill - State IG and OSI conducted an employee frisk. 2 CO were suspended but have since returned to duty. Complaints regarding the frisk have been forwarded to OSI Oversight Committee.

Green Haven - Mo major issues reported

Greene - There have been approx 250 UI thus far. Many are cuttings and drugs. There are approx 40 uses of force. It seems that OC Pepper spray is being used every few days. Still a big K-2 issue. Dorms have the kiosks installed but no tablets yet. I am being told that the S200 is getting WiFi so that the tablets will work.

Hudson - DSS has consolidated housing units and ordered that security posts be closed to avoid the payment of overtime. The CSS's will be reporting all closed posts. I attended the training for the use of the Drug testing swab

Otisville - Observed the new razor exchange procedure with PESH. It appears that they are still not up to standard and PESH will be levying fines for every day that they don't comply dating back to July. Drug use is a major issue. A massive amount was found in heads of lettuce (or cabbage) and there have been double the amount of inmates found dirty through urine tests than there were last year. OC Pepper spray is being issued. The Sector has issue with which posts are being issued the spray.

Shawangunk - No major issues reported.

Sullivan - No major issues reported.

Ulster - Many UI's reported for drugs and weapons. OC Pepper spray is being issued starting today.

Wallkill - Still in the process of converting to Medium A. OC Pepper spray has been issued.

Woodbourne - No major issues reported.

**\*\*Having an issue getting return email or phone calls from DOCCS Personnel.**

**Northern Region Report:**

10-09-18 Board Meeting

10-10-18 arbitration, EA

10-11-18-ea, Arbitration

10-12-18 Michigan cookout benefit Clinton/Altona

10-15-18– Clinton Main Site visit

10-16-18 Albany, Law Firm

10-17-18- Arbitration, Albany

10-18-18- Arbitration,

10-19-18-Albany, Arbitration PM Albany

10-22-18-Metting with member about retirement disability

10-23-18-Albany

10-24-18,Albany, Adirondack drug testing information meeting, Arbitration

10-25-18-met with Superintendent and first Dep Clinton

10-26-18 Dannemora training cottage

10-29-18 Plattsburgh Check donation

10-30-18 Ogdensburg/Riverview meeting about range with Senator Richie and town of Lisibon

10-31-18 Albany

11-1-18-Albany QNA

11-2-18 met with Member retiring

11-5-18 met with Congress woman Elise Stefanik, Republican for Lt Gov. Julie Killian,  
Meetings at Clinton x3

11-6-18 Albany, QNA x4 Albany

11-7-18 ATA arbitration, Queensbury Arbitration

11-8-18 Albany

Rdf-8



Huge wins on arbitrations our of great meadow

Nice settlement with approx. 4 months back pay

4 arbitrations completed waiting on briefs ect.

67,000 paid back to RDF from a member!!!!

**Unfinished Business:** Reminder The Independent Newsletter deadline is December 14, 2018.

**New Business:**

-Four (4) grievance for closure -CON11-0475, CON11-0476, CON13-0607, CON15-0182 – All four (4) grievance's were voted on and closure. (See attached motion below)

-AFLAC and Stash-

- State yearly Training manual

- Q&A union Rep verification of attendance (out of Wende CF) - This has been a while

- Non-Members with Norvest with coverage

- Business Agent/ Support Staff for LE -

- Meltwater PR software- Was talked about and to set up a meeting/ presentation with them to see the what kind of information they had to offer.

- possible donation from NYSCOPBA- this was tabled at this time. Looking into details

- SSO1 J. Decandia's probationary termination-(See motions Attached below)

- PEC conference- To go to the PEC conference to get

**Motions:**

Rainy Day Fund Applications – K. Izquierdo, T. Romero, C. Munnlyn, J. Frederick, J. Anderson, J. Hoffman (tabled from last meeting)- (See motions Attached below)

Legal Defense Fund- A. Lange, C. Gay, J. Casler- (See motions Attached below)

Honorary Retiree Chapter Applications- Allan Baker, Scott Baker, Carey Case, Scott Freeman, Michael Lewis, Michael Maloney, Daniel O'Connell, Michael Roberts, T Campbell- (See motions Attached below)

Action Without Meeting- to file an Article 78 on the behalf of R. Maloy **PASSED**

Action Without Meeting- To approve the interim basis for Dave Luther to be the Southern Region Business Agent until filled on permanent basis. **PASSED**

A handwritten signature in black ink, appearing to read "Chris Summers", is written over a horizontal line.

Chris Summers  
Recording Secretary

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
K. Izquierolo- Nauarrete.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>		
<b>Summers</b>		
<b>Gilbo</b>		
<b>Carpenter</b>		

	YES	NO
<b>Mazzella</b>	<i>Excused</i>	
<b>Miano</b>		
<b>Fisher</b>		
<b>Roberts</b>		
<b>Harmon</b>		

*Does NOT fall under guidelines of Rainy Day Fund*

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
T. Romero.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella	Excused	
Miano		
Fisher		
Roberts		
Harmon		

Does NOT Fall UNDER Guideline

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
C. Munnlyn.

Motion Made by

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated:

7 TO 1

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>		✓
<b>Summers</b>		✓
<b>Gilbo</b>		✓
<b>Carpenter</b>		✓

	YES	NO
<b>Mazzella</b>	<i>Excused</i>	
<b>Miano</b>		✓
<b>Fisher</b>	✓	
<b>Roberts</b>		✓
<b>Harmon</b>		✓

Date: November 13, 2018



# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
J. Anderson.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>	✓	
<b>Summers</b>	✓	
<b>Gilbo</b>	✓	
<b>Carpenter</b>	✓	

	YES	NO
<b>Mazzella</b>	<i>Excused</i>	
<b>Miano</b>	✓	
<b>Fisher</b>	✓	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: November 13, 2018

# **MOTION SHEET**

**Motion:**

To approve the Rainy Day Fund application for J. Hoffman.

---

---

---

---

---

---

---

---

---

---

**Motion Made by:**

Executive Board

**Motion Seconded by:**

\_\_\_\_\_

**Motion Passed/Defeated:**

	<b>YES</b>	<b>NO</b>
<b>Powers</b>		
<b>Sawchuk</b>		
<b>Summers</b>		
<b>Gilbo</b>		
<b>Carpenter</b>		

	<b>YES</b>	<b>NO</b>
<b>Mazzella</b>	Excused	
<b>Miano</b>		
<b>Fisher</b>		
<b>Roberts</b>		
<b>Harmon</b>		

Tabled 10/9/2018 & Tabled 11/13/18

**Date:** November 13, 2018

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
J. Hoffman.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	EXCUSED	
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella		
Miano		
Fisher		
Roberts		
Harmon		

TABLED

Date: October 9, 2018



# MOTION SHEET

Motion:

To approve the Legal Defense Fund application for  
A. Lange.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Legal Defense Fund application for  
C. Gay.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	EXCUSED	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Legal Defense Fund application for  
J. Casler.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018



# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
J. Frederick.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed / ~~Defeated~~:

UNANIMOUS

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>	✓	
<b>Summers</b>	✓	
<b>Gilbo</b>	✓	
<b>Carpenter</b>	✓	

	YES	NO
<b>Mazzella</b>	<i>Excused</i>	
<b>Miano</b>	✓	
<b>Fisher</b>	✓	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
C. Case.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed/~~Defeated~~: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<del>Excused</del>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
S. Freeman.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018



# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
M. Lewis.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
M. Maloney.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed ~~Defeated~~: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018



# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
D. O'Connell.

Motion Made by

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	<i>Excused</i>	
Miano	✓	
Fisher	✓	
Roberts	✓	
Harmon	✓	

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
S.Baker.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion ~~Passed~~ Defeated:

7 to 1

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

	YES	NO
Mazzella	<i>Excused</i>	
Miano		✓
Fisher		✓
Roberts	✓	.
Harmon		✓

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
A.Baker.

Motion Made by

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated

7 to 1

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

	YES	NO
Mazzella	<i>Excused</i>	
Miano		✓
Fisher		✓
Roberts	✓	
Harmon		✓

Date: November 13, 2018



# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
T.Campbell.

Motion Made by

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated:

7 to 1

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

	YES	NO
Mazzella	<i>Excused</i>	
Miano		✓
Fisher		✓
Roberts	✓	
Harmon		✓

Date: November 13, 2018

# MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application for  
M. Roberts.

Motion Made by

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated

7 to 1

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

	YES	NO
Mazzella	<i>Excused</i>	
Miano		✓
Fisher		✓
Roberts	✓	
Harmon		✓

Date: November 13, 2018

# **MOTION SHEET**

**Motion:**

To file a CPLR Article 78 on the behalf of J. Decandia.

---

---

---

---

---

---

---

---

---

**Motion Made by:**

Executive Board

**Motion Seconded by:**

\_\_\_\_\_

**Motion Passed/Defeated:** 7 to 1

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>		x
<b>Summers</b>		x
<b>Gilbo</b>		x
<b>Carpenter</b>		x

	YES	NO
<b>Mazzella</b>	Excused	
<b>Miano</b>		x
<b>Fisher</b>		x
<b>Roberts</b>		x
<b>Harmon</b>	x	

**Date:** November 13, 2018



# MOTION SHEET

Motion:

To close four (4) grievance's CON 11-0475, CON 11-0476  
CON 13-0607 and CON 15-0182.

Motion Made by:

Executive Board

Motion Seconded by:

Motion **Passed/Defeated:**

**UNANIMOUS**

	YES	NO
<b>Powers</b>		
<b>Sawchuk</b>	x	
<b>Summers</b>	x	
<b>Gilbo</b>	x	
<b>Carpenter</b>	x	

	YES	NO
<b>Mazzella</b>	Excused	
<b>Miano</b>	x	
<b>Fisher</b>	x	
<b>Roberts</b>	x	
<b>Harmon</b>	x	

Date: November 13, 2018