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17	STENOGRAPHIC MINUTES of the	17	
18	above-entitled matter as reported	18	
19	by DARLENE L. JERGE, Notary Public	19	
20	and Shorthand Reporter in and for	20	
21	the State of New York.	21	
22		22	
23		23	
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1 APPEARANCES:

2 OFFICERS PRESENT:

3 MICHAEL POWERS, President

4 TAMMY SANCHUK, Executive Vice Pres.

5 FRANK GILBO, Treasurer

6 CHRISTOPHER SUMMERS, Recording Secretary

7

8 Vice Presidents

9 MIKE MAZZELLA, Mid-Hudson

10 SCOTT CARPENTIER, 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 Keith Jacques, Esq.

18 Steven Anderson, Parliamentarian

19

20

21

22

23

5

1 pensions, fifty-two years
2 of service. And to have
3 Bill Sheehan serve us for
4 many years and recognize
5 the value that they bring
6 in defending us and our
7 members. Again, greatly
8 appreciated.

9
10 (All applause.)

11
12 PRESIDENT POWERS: Can
13 we get the rules read in,
14 please?

15 JESSE KEENAN: Good
16 afternoon, everybody. I'm
17 Jesse Keenan, currently
18 out of the Albany Training
19 Academy. I've got the
20 Executive Assembly Rules
21 of Order.

22 Anyone upon entering
23 the Executive Assembly

7

1 PRESIDENT POWERS: Let's
2 get started. Good
3 afternoon. Call the
4 meeting to order. Can we
5 all please rise?

6
7 (Whereupon a moment of
8 silence followed by Pledge
9 of Allegiance was then
10 recognized.)

11
12 (Presentation of
13 Retirement Plaque for
14 William Sheehan, Esq., and
15 Retirement Plaque to Ken
16 Woods, Attica
17 Correctional.)

18
19 PRESIDENT POWERS:
20 Obviously pretty good
21 example of some of the
22 work that NYSCOPBA has
23 done. He's carrying two

6

1 must wear the NYSCOPBA
2 identification tag. Chief
3 Sector Stewards will sit
4 in designated areas when
5 the Executive Assembly is
6 in session.

7 Cellular phones are to
8 be turned off and beepers
9 are to be put in vibrating
10 mode. The recording
11 devices are prohibited
12 unless provided by
13 membership services and
14 those directed by the
15 recording secretary.

16 NYSCOPBA members in
17 good standing will be
18 allowed to address the
19 Executive Assembly,
20 provided they state their
21 name and their sector.
22 Speakers at the microphone
23 will follow the direction

8

1 of the Sergeant at Arms.
 2 Thank you.
 3 PRESIDENT POWERS:
 4 Thank you. Chris, roll.
 5 RECORDING SECRETARY
 6 SUMMERS:
 7 Good morning.
 8 President Powers?
 9 PRESIDENT POWERS:
 10 Here.
 11 RECORDING SECRETARY
 12 SUMMERS: Powers, present.
 13 Executive VP Sawchuk?
 14 EXECUTIVE VP SAWCHUK:
 15 Here.
 16 RECORDING SECRETARY
 17 SUMMERS: Sawchuk,
 18 present.
 19 Treasurer, Gilbo?
 20 TREASURER GILBO: Here.
 21 RECORDING SECRETARY
 22 SUMMERS: Gilbo, Present.
 23 Recording Secretary .

9

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

11

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

10

1 RECORDING SECRETARY
 2 SUMMERS:
 3 Sturgeon, present.
 4 Albany Training Academy,
 5 Keenan?
 6 MR. KEENAN: Here.
 7 RECORDING SECRETARY
 8 SUMMERS:
 9 Keenan, present.
 10 Albion, Thomas?
 11 MR. THOMAS: Present.
 12 RECORDING SECRETARY
 13 SUMMERS:
 14 Thomas, present.
 15 Altona, Ayotte?
 16 MR. AYOTTE: Here.
 17 RECORDING SECRETARY
 18 SUMMERS:
 19 Anoid, present.
 20 Attica, Puma?
 21 MR. PUMA: Here.
 22 RECORDING SECRETARY
 23 SUMMERS:

12

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

13

1 MS. JOHNSON: Present.
2 RECORDING SECRETARY SUMMERS
3 Johnson, present.
4 Coxsackie, Carknard?
5 MR. CARKNARD: Present.
6 RECORDING SECRETARY
7 SUMMERS:
8 Carknard, present.
9 Downstate, Cooper?
10 MS. COOPER: Here.
11 RECORDING SECRETARY
12 SUMMERS:
13 Cooper, present.
14 Eastern, McAndrews?
15 MR. MCANDREWS: Here.
16 RECORDING SECRETARY
17 SUMMERS:
18 McAndrews, present.
19 Edgecombe, Watkins?
20 Ms. WATKINS: Present.
21 RECORDING SECRETARY
22 SUMMERS:
23 Watkins, present.

15

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

14

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

16

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

17

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

19

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

18

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

20

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

21

1 MR. VIACCHARELLI: Yes.
2 RECORDING SECRETARY
3 SUMMERS: Tonny V,
4 present.
5 SSA's, Schiavone?
6 MR. SCHIAVONE: Here.
7 RECORDING SECRETARY
8 SUMMERS:
9 Schiavone, present.
10 Shawangunk, Marasco?
11 MR. MARASCO: Here.
12 RECORDING SECRETARY
13 SUMMERS:
14 Marasco, present.
15 Sing Sing, Paroline?
16 MR. PAROLINE: Present.
17 RECORDING SECRETARY
18 SUMMERS:
19 Paroline, present.
20 Southport, Deburgomaster?
21 MR. DEBURGOMASTER: Here.
22 RECORDING SECRETARY
23 SUMMERS:

23

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

22

1 Deburgomaster, present.
2 Sullivan, Bell?
3 MS. BELL: Here.
4 RECORDING SECRETARY
5 SUMMERS:
6 Bell, present.
7 Taconic, Frazier.
8 MR. FRAZIER: Here.
9 RECORDING SECRETARY SUMMERS
10 Frazier, present.
11 Ulster, Scampoli?
12 MR. SCAMPOLI: Here.
13 RECORDING SECRETARY
14 SUMMERS:
15 Scampoli, present.
16 Upstate, Gary?
17 MR. GARY: Here.
18 RECORDING SECRETARY
19 SUMMERS:
20 Gary, present.
21 Wallkill, Sheridan?
22 MR. SHERIDAN: Here.
23 RECORDING SECRETARY SUMMERS

24

1 Sheridan, present.
2 Washington, VanDerwarker?
3 MR. VANDERWARKER:
4 Here.
5 RECORDING SECRETARY SUMMERS
6 VanDerwarker, present.
7 Watertown, Nevills?
8 MR. NEVILLS: Here.
9 RECORDING SECRETARY
10 SUMMERS:
11 Nevills, present.
12 Wende, Keenan?
13 MR. KEENAN: Good
14 afternoon.
15 RECORDING SECRETARY
16 SUMMERS:
17 Keenan, present.
18 Willard, Moore?
19 MS. MOORE: Here.
20 RECORDING SECRETARY
21 SUMMERS:
22 Moore, present.
23 Woodbourne, Gutierrez?

25

1 The results are in.
2 Everything we feared came
3 to light.
4 The New York State
5 Senate is now controlled
6 by the Democratic Party.
7 New York Assembly is
8 controlled by the
9 Democratic Party. The
10 Democratec Senate,
11 they've obtained 39 seats.
12 The Governor's office, the
13 Executive Branch of
14 government holds
15 Democratic.
16 Some of the biggest
17 concerns that we brought
18 forward to this body, some
19 of the criminal justice
20 reform systems that are
21 coming down the pipe. We
22 spoke of HALT, the main
23 alternatives to the long

27

1 MR. GUTIERREZ: Here.
2 RECORDING SECRETARY
3 SUMMERS:
4 Gutierrez, present.
5 Wyoming, Hickey?
6 MR. HICKEY: Here.
7 RECORDING SECRETARY
8 SUMMERS:
9 Hickey, present.
10 The October assembly
11 minutes have been
12 published. Any
13 corrections? Seeing none,
14 minutes approved.
15 PRESIDENT POWERS:
16 We'll move into the
17 president's report. I'll
18 keep it somewhat brief to
19 avoid any redundancy that
20 you've been hearing from
21 me for the last eight,
22 nine, ten months. The
23 elections are past us.

26

1 term solitary confinement,
2 which makes NYCLU look
3 attractive.
4 Civil Service Law 50-A,
5 federal judge -- or state
6 judge yesterday upheld the
7 fact that FOIL requests
8 for your personal history
9 folder cannot be obtained.
10 That's until NYCLU and
11 their associate director
12 responded, by suggesting
13 legislation needs to
14 happen to have that
15 happen.
16 These are agenda items
17 on the New York State
18 Senate. These are high
19 priorities for the New
20 York State Senate. HALT,
21 50-A. Suffered another
22 round of facility dorm
23 closures, consolidations,

28

1 lost another six. Another
2 one at Wyoming, Bare Hill,
3 Franklin, Gouverneur, two
4 at Groveland which amount
5 to be a sixty man unit,
6 and Riverview.

7 The inmate population
8 dipped below 47 thousand,
9 five hundred. Not too
10 long ago we were pushing
11 sixty in the last five
12 years. Donn might be able
13 to correct me on that, I
14 know in his term it was a
15 little bit higher. A lot
16 of empty beds around the
17 state.

18 We got a lot going on.
19 We attend a PEC conference
20 down in Florida. PEC
21 conference is Public
22 Employee Conference;
23 myself, Tammy, Keith

29

1 Jacques, Dan Valente and
2 Frank Gilbo went down.
3 We had good meetings down
4 there. This is a
5 conference that's
6 comprised of public and
7 private unions.

8 We're all in the same
9 boat. Janice versus
10 AFSCME is not complete
11 yet. We don't feel that
12 some of the actions that
13 are coming down the pipe
14 with the Janus versus
15 AFSCME are going to affect
16 us, because of the
17 protections we've been
18 able to put in place.

19 I started coalition
20 with many law enforcement
21 entities. Eliza
22 Husamudeen, the president
23 for COPA and out of

30

1 Riker's, Westchester
2 County, Nassau County,
3 Suffolk County. I reached
4 out to various larger
5 municipalities. Onondaga,
6 Erie, Monroe, Albany,
7 Dutchess, Clinton.

8 Get everybody together,
9 start talking about the
10 initiatives and the
11 criminal justice reforms
12 that are going to be
13 coming down the pipe and
14 they're going to come
15 fast.

16 As I mentioned HALT and
17 50-A are priorities in the
18 State Senate. New York
19 State Assembly has been
20 passing this legislation
21 for years. Our
22 relationship with the
23 Senate Republicans have

31

1 been able to beat that
2 legislation back.
3 That's no longer the
4 case. In the last
5 election, twelve new
6 senators were elected into
7 the Democratic Conference.
8 Twelve. All incoming, all
9 new with heavy progressive
10 slates. We're going to
11 look to get in front of
12 them as quick as possible.

13 They get sworn in on
14 January 9th. We've
15 already reached out to
16 many members, new members,
17 to make enroads, get them
18 on the corrections
19 committee, share our
20 concerns. Brother Fisher
21 out of the southern region
22 has met with many of his
23 senators, the lower part

32

1 of the state senators to
2 address many of our
3 concerns.

4 This legislation -- we
5 all know how we felt about
6 NYCLU and this HALT is
7 significantly different.
8 And it's a lot less
9 punitive. I don't mean
10 punitive in a bad way
11 either. Our segregations,
12 our special housing units
13 are not segregation and
14 that's what we have to
15 explain to them and that's
16 what we'll do.

17 Again, as I mentioned
18 we attended the PEC
19 conference. I was able to
20 network with a lot of
21 other bodies down there, a
22 lot of other union
23 leaders. I'll be meeting

33

1 initiative that's coming
2 forward for potential
3 legislation.

4 Keep in mind when I say
5 priorities of these
6 houses, this doesn't mean
7 it's going to come and
8 they pass the legislation
9 and the Governor calls it
10 up in a year in December.
11 They can pass this
12 legislation by February
13 and enact it by April.
14 That's how quickly this
15 could come. This is our
16 biggest concern.

17 You have heard me stand
18 up here many a time and
19 suggest to you that you're
20 this body, you're the
21 union. The membership is
22 the union. And now more
23 than ever, you probably

35

1 next week in the city with
2 a lot of the other leaders
3 in corrections alone to
4 push back.

5 In this conference, the
6 public employee
7 conference, much set up
8 like NYSCOPBA. It's got a
9 board, they sit up there,
10 they have an agenda.
11 Their agenda mirrors ours,
12 whether it be retirement
13 coalition, Workers' Comp.
14 Everything that we deal
15 with, they deal with but
16 on a broader spectrum.

17 84 unions were present
18 in Florida last week and a
19 lot of our concerns mirror
20 their concerns. We need
21 to come together with
22 these bodies in order to
23 push back on some of this

34

1 heard me say that up here
2 before, but now more than
3 ever you may not only need
4 assistance from other
5 entities but we need your
6 interactions. We're going
7 to need your interactions
8 back at the local levels,
9 back with your legislators
10 and the State Assembly and
11 State Senate, maybe even
12 in your counties.

13 We need that. We're
14 going to need that. And I
15 believe and I know that
16 the way we operate and the
17 way we do things with
18 integrity and with
19 credibility, we can push
20 this back. We can educate
21 and we can do it together
22 with the same message.
23 And we need that. This

36

1 Board needs that.

2 We have got a lot on
3 our plate and it's coming
4 fast. Look at the changes
5 we've had to deal with in
6 your facilities in all
7 aspects of our membership
8 in the last five to six
9 years. Let's face it, we
10 don't deal with change
11 well. That's a fact. But
12 change is coming and it's
13 coming fast and it's not
14 stopping.

15 I'm not here to be doom
16 and gloom because I know
17 the work we can do
18 together, as one body, as
19 one union in conjunction
20 with our brothers and
21 sisters that share the
22 same thing in separate
23 entities and other unions,

37

1 that we can beat this
2 back, and we can educate
3 the policy makers going
4 forward.

5 We already have an
6 opposition memo drafted
7 for HALT, for as quickly
8 as it may come. And
9 that's trying to get out
10 in front of it. We've got
11 the support from this
12 conference, Public
13 Employee Conference. I
14 sought it out last week
15 and I obtained it.

16 We have a vital piece
17 of legislation that's
18 going to be called up by
19 the Governor any time now.
20 That's our Death Gamble
21 legislation. We're all
22 familiar with the Death
23 Gamble legislation. Vital

38

1 to our members that have
2 twenty-five years of
3 service. I look around
4 this room and I see many,
5 be able to change the
6 benefits for your
7 beneficiaries down the
8 road.

9 We're going to need
10 your support when that
11 have gets called up, we'll
12 have time to work on it.
13 I'm going to have Keith
14 come up real quick and
15 explain some of the
16 dynamics that may be
17 coming forward. We don't
18 know when they're going to
19 call it up. They'll need
20 some sponsors to do that.
21 And when they do that,
22 we're going to need your
23 support.

39

1 We continue to meet
2 with the Department,
3 you're starting to see
4 your kiosks pop up in your
5 facilities regarding the
6 tablets. The Department
7 sent us a copy of the
8 draft directive. We've
9 responded to it with our
10 concerns regarding the
11 tablets. Our biggest
12 concern is resources and
13 how we're going to
14 supervise along with all
15 of the other
16 responsibilities that we
17 have in our facilities, to
18 monitor these kiosks and
19 the properly implemenation
20 of downloads, e-mail and
21 all the other happy horse
22 shit that comes along with
23 it.

40

1 We continue to bring
2 about the issues of
3 violence in our
4 facilities. We're on
5 record to surpass the high
6 water mark of 2016, I
7 believe, of assaults on
8 staff; significantly I
9 might add. Some of the
10 other inmate on inmate
11 dropped off a little bit,
12 but they're still
13 significantly higher.

14 We see the violence in
15 our facilities. I believe
16 OC spray may have played a
17 roll in weaning back some
18 of this. That is
19 obviously a tribute to the
20 fine staff we have in the
21 field, but these talks
22 will continue. Your
23 incidents in the

41

1 heard me say it before,
2 but this is real. We've
3 all tracked hurricanes
4 before, right? You watch
5 the weather center, see
6 these hurricanes coming,
7 where it's gonna hit.

8 It's gonna hit law
9 enforcement in all
10 aspects. And how we
11 withstand that storm
12 system is going to be
13 where we sit at the end of
14 the day. I'm confident
15 with our leadership, your
16 leadership back at the
17 facilities to push back
18 and start educating the
19 true realities of the
20 facilities and bring those
21 issues forward.

22 I know that we can do
23 that. We've already hit

43

1 facilities, continue to
2 bring them to us so we can
3 address them in a format
4 with the Department.

5 I believe we'll be
6 meeting with them on the
7 8th, January 8th. Not a
8 labor management format,
9 it's more of a bitch
10 session, going in there
11 and leveling the playing
12 field. Let them know
13 what's happening in the
14 facilities, let them know
15 what our concerns are
16 regarding training. And
17 many of the other
18 multitude of issues that
19 we constantly deal with
20 and issues that you deal
21 with.

22 I can't impress upon
23 you enough, I know you

42

1 the ground running
2 reaching out to many of
3 the newly elected. As I
4 mentioned, we're looking
5 to get them on the
6 committees, chair a
7 committee, didn't go so
8 well for us. A lot are
9 steering clear of it due
10 to the fact that the
11 agenda in both the Senate
12 and Democratic party is
13 criminal justice reform.
14 It's difficult to get
15 players in.

16 But a united voice
17 throughout the whole
18 state, I'm confident that
19 we can push back. You
20 will be getting a lot of
21 information from us in the
22 coming weeks as this new
23 legislative session rolls

44

1 out. We ask you to
2 activate and to push
3 forward. And by all
4 means, if you have any
5 ideas, don't hesitate to
6 forward them to us.

7 Different perspectives
8 bring different things at
9 different times. We deal
10 with a flurry of activity
11 all the time just as you
12 do; sometimes you get lost
13 in that. When you have
14 the outside interpretation
15 or a third-party
16 interpretation, it goes
17 well.

18 I received an e-mail a
19 couple weeks back from a
20 brother at Green,
21 regarding HALT, very well
22 articulated. Put together
23 some fine stats, pulled

45

1 them all right off the
2 DOCCS fact sheet, all
3 clear and concise. There
4 were two things in that
5 letter, and I'm not saying
6 what he didn't do wasn't
7 good because it's due
8 diligence on his behalf.
9 He's gonna have those
10 stats to share with his
11 members and they're going
12 to be able to read it back
13 in their facility and
14 share it with others.

15 But I gained some
16 perspective from that and
17 I already knew 90 percent
18 of what was in that draft,
19 but I picked up two major
20 components that we can
21 expand on out of his
22 letter to us, to the
23 Board.

46

1 I'm not going to get
2 into the details of it
3 right now because we've
4 got a lot to talk about.
5 But I just want to share
6 with you to make sure that
7 we're all on the same page
8 and together as one, we
9 can beat this back. We've
10 been successful in the
11 past and I'm confident in
12 the fact that we can do it
13 again.

14 But it's going to need
15 to be a full-court press
16 without question. That
17 hurricane is coming and
18 the eye of the storm is
19 50-A, Civil Rights Law
20 50-A and HALT. The winds
21 out in front of it, the
22 dorm consolidations, the
23 tablet program, the lack

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1 of staffing, the lack of
2 training and everything
3 else that comes with it.

4 So with that, I want to
5 thank everybody for your
6 service. Not just the
7 chiefs in the room, but
8 the members that took the
9 time to come today,
10 because we're going to
11 need all hands on deck.
12 And we're going to need
13 that full-court press. I
14 know together we can all
15 do it.

16 It's the holiday
17 season, everybody is
18 preparing for the
19 holidays, we're looking
20 out for our brothers and
21 sisters and we do what we
22 do. But I want to
23 thank you and share the

48

1 appreciation of the work
2 that you do in the field.
3 Not just our employees
4 here at NYSCOPBA, our
5 office staff is some of
6 the best union staff,
7 unmatched against any
8 union in the state, and so
9 is everybody in this room.

10 And as one, we'll do
11 this. Don't lose sight of
12 the message. Don't lose
13 site of the job at hand.
14 Don't get lost in the
15 Facebook crap. Don't get
16 lost in everything else.

17 Stay focused, stay on
18 point. Share your
19 information with us and
20 together let's push back
21 and beat this thing. I'm
22 going to have Keith and
23 Chris come up here and

49

1 talk a little bit about
2 HALT and how the process
3 is going to come up, most
4 of you already know this.
5 As far as the Death Gamble
6 legislation and anything
7 else you might want to
8 ask.

9 KEITH JACQUES: Good
10 afternoon. I'm going to
11 try and keep it quick,
12 Chris and I, because I
13 know you have a pretty
14 lengthy agenda. As Mike
15 indicated, the Death
16 Gamble bill passed both
17 house and it's still
18 sitting in its house of
19 origin to get called up by
20 the Governor.

21 The way the process
22 works, when the bill is
23 sent down to the Governor

50

1 he has ten days in which
2 to act on the bill. If he
3 doesn't do anything, the
4 bill becomes law. So the
5 only small nuance is if
6 the bill gets delivered
7 very close to the end of
8 the calendar year and the
9 ten day period has not
10 expired by January 1, in
11 that case a new thirty day
12 period will kick in.

13 And in that situation,
14 the Governor will have
15 thirty days to act on the
16 bill. And if he doesn't
17 do anything, the bill is
18 vetoed, it's called a
19 pocket veto. Occasionally
20 the Governor will veto
21 bills in that manner when
22 they're bills he doesn't
23 want to put a reason for

51

1 his objection to. I don't
2 think that's going to
3 happen with respect to
4 this bill, but keep in
5 mind, that is a
6 possibility.

7 As Mike pointed out, we
8 are in a completely
9 different arena now with a
10 very different New York
11 State legislature. In
12 fact the prime sponsor of
13 our Death Gamble bill,
14 Addy Jenny, Democrat whose
15 been in the house for a
16 while was voted out.

17 Forty Senate Democrats
18 are in. We have a new
19 chair of Corrections.
20 Senator Savada. Senator
21 Bailey is the new chair of
22 codes. David Carlucci who
23 we've dealt with for many

52

1 years, he retained mental
2 health committee, which is
3 good. We have a good
4 working relationship with
5 Carlucci. There's
6 somebody else we worked
7 very closely with, Diane
8 Savino, she now has a
9 subcommittee of
10 technology.

11 So we have a different
12 legislature that we're
13 going to be working with
14 for sure. As Mike
15 indicated, there is an
16 opposition memo that we
17 drafted. It's very
18 lengthy, I'll briefly
19 cover it, just to give you
20 the high points. It still
21 needs to be tweaked a
22 little bit, it's going to
23 be very important because

53

1 effect in 2016.

2 So, one of the
3 arguments we're making is
4 the NYCLU settlement has
5 made the HALT bill
6 completely moot. There is
7 no need for the HALT bill
8 anymore. The proponents
9 of HALT wanted a change to
10 our SHU system and we're
11 saying, you got the
12 necessary change through
13 the NYCLU settlement.

14 Matter of fact, in the
15 opposition memo itself, we
16 take a quote from NYCLU as
17 part of the press release
18 when the settlement was
19 entered into and they
20 championed this thing,
21 saying it's the greatest
22 thing in the world. It's
23 going to fix all the

55

1 this document is going to
2 be the document we're
3 going to use to explain
4 why HALT is not necessary.

5 In reality it's more of
6 an explanation of NYCLU
7 and the effects on the
8 prison system since NYCLU
9 went into effect. The
10 HALT bill was first
11 introduced in 2014, in
12 January.

13 Now there were
14 discussions about it well
15 before that, but in bill
16 form it actually made its
17 way to the floor in
18 January 2014, prior to the
19 NYCLU settlement being
20 implemented. The interim
21 NYCLU settlement was in
22 April of 2014, the full
23 settlement went into

54

1 problems with SHU, well,
2 if that's true, we don't
3 need to focus on HALT any
4 more.

5 But as Mike pointed
6 out, we have very
7 aggressive conference in
8 the senate, many members
9 are making this their top
10 priority so we're going to
11 have our work cut out for
12 us. The memo also talks
13 about solitary
14 confinement. It goes to
15 great lengths to explain
16 that there is no solitary
17 confinement in New York.

18 We've got to find a way
19 to change that messaging
20 that's out there. One way
21 to do that is to get
22 legislators to come to
23 tour our jails, so they

56

1 can see it. But as
2 everyone knows, when the
3 media portrays SHUs in New
4 York, they think SHUs are
5 something out of Shawshank
6 Redemption.

7 We need to make sure
8 they understand that that
9 is not a reality. The way
10 to make that happen is to
11 get them inside the jails.
12 Reach out to your local
13 legislators, invite them
14 in. We do that all the
15 time. Dan Valente is very
16 active in that regard.

17 But it helps when a
18 constituent reaches out to
19 a member and says, hey,
20 I'm not only a NYSCOPBA
21 member, I'm your
22 constituent, I vote for
23 you, I'd really like to

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1 don't want to hear it
2 because they're
3 idealologists.

4 But we will do
5 everything we can, but
6 again, we're going to need
7 all your help in making
8 that happen. The memo
9 talks about violence and
10 has violence has gone up
11 significantly since the
12 implementation of NYCLU.

13 The violence on, you
14 know, inmate on officer
15 assaults have spiked. But
16 believe it or not, the
17 inmate on inmate assaults
18 have spiked to an even
19 greater extent. And we're
20 going to have to focus on
21 that a lot when we're
22 dealing with the downstate
23 Democrats.

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1 have you come tour my
2 jail. Oh, by the way, you
3 can tour with me, I'm a
4 NYSCOPBA member.

5 So please get active in
6 that regard. The memo
7 goes to great lengths of
8 explaining what inmates
9 get from all the
10 amenities, to frankly the
11 due process rights.
12 They're given a hearing to
13 determine whether or not
14 it's appropriate to be put
15 in SHU.

16 These are things that
17 the new legislators do not
18 understand and we are
19 going to have our work cut
20 out to explain that to
21 them. Frankly, we've been
22 doing this with members
23 for years, but they still

58

1 All right. The reality
2 is some of them are more
3 concerned about the people
4 you're watching than the
5 people in this room. That
6 is not our opinion and
7 we'll never take that
8 opinion. But in order to
9 try to convince some of
10 these people we have to
11 sort of focus on that
12 angle as well.

13 So in your
14 conversations with
15 downstate legislators to
16 the extent their are
17 members in here that are
18 in downstate districts,
19 talk about that. It's not
20 just the assaults on
21 officers, but it's
22 officers -- it's arising
23 violence throughout the

60

1 system as a whole, because
2 that's going to be
3 important to discuss.

4 We also talk about the
5 various tools that have
6 been in place, the past
7 few years, that were
8 supposed to bring down
9 violence. The OC spray,
10 additional cameras, all
11 these things that were
12 supposed to bring down
13 violence and in fact the
14 opposite effect is
15 happening.

16 So at the end of the
17 day the argument, how can
18 we possibly make another
19 change to SHU without
20 fully understanding why
21 things change after the
22 NYCLU settlement. We're
23 going to be asking for

61

1 some sort of a study, some
2 sort of significant
3 analysis on the impacts of
4 NYCLU for legislature to
5 be moved into this new
6 arena of HALT.

7 Finally, the bill talks
8 about HALT, what it is.
9 Part of HALT creates a new
10 group of special
11 population inmates. And
12 if you're in special
13 population, you never get
14 SHU time. Inmates
15 twenty-one years of age or
16 younger, inmates
17 fifty-five years of age or
18 older would be deemed
19 special population.

20 In addition, the most
21 amount of consecutive days
22 you can get in SHU per
23 HALT is fifteen days,

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1 fifteen days in a row;
2 twenty out of sixty
3 calendar days. Now, the
4 advocates that are
5 pointing to this bill,
6 they're saying this is
7 successful, it can work
8 because it worked in
9 Colorado.

10 They talk about
11 Colorado having a fifteen
12 day cap on SHU. That's
13 only half the story.
14 That's true. Colorado
15 does have a statute that
16 limits the number of days
17 consecutively in SHU of
18 15.

19 However, Colorado also
20 has a sort of what we'll
21 call two step down units
22 that the advocates don't
23 want to talk about. The

63

1 first step down unit
2 allows an inmate to go
3 into the second unit for
4 up to a year. In that
5 unit, the inmate is given
6 time out of cell, but when
7 he is out of cell he can
8 be restrained and he is
9 restrained. Okay. So
10 it's restrained when
11 you're out of your cell.

12 After that unit, they
13 move to another unit. In
14 that third unit, they can
15 be in there indefinitely
16 for the remainder of their
17 term. While they're in
18 that unit, they do get
19 more time out of cell, but
20 again there is the
21 opportunity and
22 possibility to restrain
23 the inmates to make sure

64

1 they're in a safe, secure
2 environment in this third
3 unit.

4 So, you can see the
5 advocates want to talk
6 about the half story, tell
7 half truths and that's
8 what we're up against.

9 But keep in mind about how
10 powerful these advocates
11 are with their voices.

12 Everyone remembers the
13 rally NYSCOPBA had a few
14 years ago, when the Senate
15 Republicans were in
16 control and we were able
17 to stop everything and
18 anything that we needed to
19 stop.

20 Two days before our
21 rally, the advocates were
22 rallying on HALT. That
23 bill was never going

65

1 legislation? Is there any
2 option of that?

3 KEITH JACQUES: No,
4 it's a state law, we won't
5 be able to file any
6 federal injunction to stop
7 that. Frankly, there are
8 other states that have
9 implemented similar laws
10 to what's in the HALT
11 proposal. So, it's a
12 state issue and we're
13 going to have to deal with
14 the state on this.
15 Anybody else?

16 ROBERT STEVENS: Robert
17 Stevens, Mohawk. Is it
18 true also in HALT
19 legislation, that lawyers,
20 paralegals and law
21 students are going to be
22 allowed to come in and
23 represent the inmates at

67

1 to see the light of day in
2 the Senate. They had
3 almost four thousand
4 people show up to rally
5 for a bill that had
6 absolutely no chance.

7 Now that they have a
8 Democratic Assembly, you
9 can rest assured they're
10 going to turn up the
11 velocity on this thing.

12 So it's going to be
13 critical that we get every
14 one in this organization,
15 so we can fight equally
16 against them.

17 Questions about HALT?
18 State of the legislature
19 moving forward?

20 CHRIS FEAR: Chris
21 Fear, Mid-State. Can you
22 file a federal injunction
23 to cease that HALT

66

1 tier hearings pro bono.

2 KEITH JACQUES: There
3 are representation rights
4 in the HALT bill. I'm not
5 sure if it's law students,
6 but I believe that is
7 correct it's on a pro bono
8 basis. And there will be
9 ACLU, NYCLU, sending
10 attorneys in per this
11 legislation.

12 Now, the bill is what
13 the bill is. We need to
14 find a way to stop the
15 bill in its current form.
16 I know everyone hates
17 NYCLU. We've been arguing
18 about the change, the
19 change in the violence,
20 it's on the prison system
21 as a whole. But we got to
22 pound home the message
23 that things have changed

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1 significantly since that
2 NYCLU settlement.

3 All right. What HALT
4 was seeking to achieve was
5 achieved in the interim
6 settlement in 2014 and
7 then in the final
8 settlment in 2016. So
9 there's no need to even
10 think about another
11 separate piece of
12 legislation at this point.
13 That's got to be the
14 argument.

15 I know that doesn't
16 address the problem since
17 NYCLU, you got to stop
18 this piece of legislation
19 in its tracks right now
20 and then find a way to
21 address the other things.

22 CHRIS MOREAU: Chris
23 Moreau, Green Haven. The

69

1 memo you're drafting in
2 opposition of the
3 legislation, is this what
4 you recommend passing on
5 to our local politicians
6 that we might get on board
7 or is this just for us?

8 KEITH JACQUES: Without
9 question, yes. We got to
10 tweak it a little bit.
11 Pretty significant hot
12 topic, once that memo is
13 done and it's out in the
14 public, you know, the
15 Executive Board is going
16 to start getting questions
17 from media, political talk
18 shows. And talk about
19 solitary confinement in
20 New York and why the union
21 is opposed to ending
22 solitary confinement.

23 So we need to make sure

70

1 everything in there is one
2 hundred percent, crystal
3 clear, unequivocal. Once
4 that happens, you're going
5 to have a copy of it. I
6 shared it today with the
7 legislative PAC committee,
8 the Board has it. Once
9 its in its final form,
10 hopefully in the next few
11 days, it will be sent out
12 and the chiefs will have
13 it.

14 But, yes, use it in
15 meetings with individual
16 legislators, use it in
17 conversations with people
18 that live in your
19 neighborhoods. People
20 need to understand what's
21 really happening right now
22 as a result of NYCLU and
23 they don't. And we got to

71

1 educate them on that
2 before they even start
3 looking at another piece
4 of legislation.

5 MR. MCGOWAN: McGowan,
6 Mid State. As far as
7 doing the ground work,
8 like Mike was talking
9 about, shouldn't that be
10 something the Regional VPs
11 get together and in each
12 region have local meetings
13 with our local politicians
14 so we can explain our
15 concerns about that
16 legislation. And maybe go
17 forward doing it that way,
18 rather than having us at
19 the local level try to do
20 that. Is that something
21 better suited for them to
22 do rather than your local
23 stewards and chiefs.

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1 PRESIDENT POWERS: I'm
2 sorry, you want the
3 regional guy to take care
4 of the leg work?

5 MR. MCGOWAN: I would
6 like to see the regional
7 guy maybe set these
8 meetings up for that
9 region, get the
10 politicians in that
11 region.

12 PRESIDENT POWERS:
13 Without question, however
14 you want to handle it.

15 MR. MCGOWAN: I don't
16 want to leave this
17 open-ended, I would rather
18 see something definitive
19 like this is what we're
20 going to do. Like our
21 regional is Carpenter, so
22 have Scott Carpenter set
23 up a meeting for the five

73

1 or six jails in our
2 region, have one big
3 meeting with our
4 politicians. Maybe you
5 can invite them, have them
6 show up and then we can
7 express our concerns about
8 this HALT legislation.

9 PRESIDENT POWERS: By
10 all means, if you want to
11 hold a town hall forum
12 type setting, that's up to
13 you and your regions.
14 We'll be meeting with them
15 here in Albany.

16 MR. MCGOWAN:
17 Absolutely.

18 PRESIDENT POWERS: The
19 more the merrier. The
20 more that we drive this
21 home, the more grass roots
22 kind of action here is
23 going to rule the day.

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1 MR. MCGOWAN: I think
2 something that is
3 essentially more organized
4 will do us a lot better.

5 PRESIDENT POWERS:
6 Well, with this opposition
7 memo, which you'll be in
8 possession of, you'll have
9 all it. Let's face it, we
10 all know the landscape
11 anyway. But, if that's
12 how you want to handle it,
13 that's fine.

14 MR. MCGOWAN: That's
15 just my opinion. I don't
16 know if anyone agrees with
17 me or not.

18 PRESIDENT POWERS: If
19 that's the body's wishes
20 to have the regionals hold
21 a meeting, take that up
22 with your regions.

23 MR. MCGOWAN: To have

75

1 our politicians from our
2 area in one meeting, with
3 four, five, seven or eight
4 jails, whatever we have --

5 PRESIDENT POWERS: If
6 you want to do that,
7 schedule your own meetings
8 on your own as well, take
9 your time. I know we're
10 asking of your time,
11 especially during the
12 holiday season. But that
13 grass roots activity,
14 that's what rules the day.

15 MR. MCGOWAN: I agree
16 with you one hundred
17 percent.

18 PRESIDENT POWERS: The
19 more the merrier. Joe?

20 VP WEST MIANO: Joe
21 Miano, Western Region VP.
22 Just so you're aware we
23 meet with our senators

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1 constantly. We actually
2 had two at Collins and
3 Gowanda last week, and we
4 have another senator going
5 through some our
6 facilities on Friday.

7 So, it's nothing new,
8 not in the western region
9 as far as meeting with
10 them on hot topics or
11 continually meeting with
12 them. We do that
13 constantly, not just when
14 there's some hot topic.

15 PRESIDENT POWERS: Just
16 had Capiani at Gowanda and
17 Collins.

18 VP WEST MIANO: Yep.
19 And Gallavan is going
20 there Friday.

21 KEVIN DONNELLY: Mike,
22 Kevin Donnelly, Coxsackie.
23 I'm aware we don't have a

77

1 recognized by the New York
2 Northeast Kidney
3 Foundation and I can tell
4 you there were some high
5 profile people at that
6 event who recognized the
7 hard work that the members
8 of NYSCOPBA do.

9 One of them was Neil
10 Gallop who owns the Price
11 Chopper Corporation.
12 There was a CEO for the
13 Center of Disabilities,
14 and also a gentleman by
15 the name of Mr. Lucas who
16 handles all the
17 development in the
18 Schenectady, Troy area.

19 They said they would
20 never do the job that the
21 men and women do at
22 NYSCOPBA. They would
23 never think about walking

79

1 PR firm in place right
2 now, but are we going to
3 look at going after this
4 in a PR forum.

5 PRESIDENT POWERS:
6 Well, we'll talk about
7 that a little bit later.
8 We are going to need to
9 talk about the PR firm. I
10 know what transpired at
11 the last EA, but we'll
12 have that discussion in
13 new business.

14 KEVIN DONNELLY:
15 Thank you.

16 PRESIDENT POWERS:
17 Anybody got anything for
18 me, Keith or Chris?
19 Thank you. Tammy?

20 EXECUTIVE VICE
21 PRESIDENT SAWCHUK: Good
22 afternoon, everyone. On
23 11/15, NYSCOPBA was

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1 into a prison. And they
2 understood the
3 frustrations that you feel
4 and the way you put your
5 family in harms way by you
6 never returning at home at
7 night.

8 They understood those
9 things. And they said so
10 many kind words. This is
11 something that I said.
12 NYSCOPBA's long standing
13 philosophy on community
14 service and support
15 continues to be an
16 important mission. It
17 represents thirty-one
18 thousand currently retired
19 members. Throughout the
20 year hundreds of you
21 volunteer or raise money
22 for nonprofits across the
23 state.

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1 And NYSCOPBA and this
2 board appreciates
3 everything that you do for
4 this organization, most of
5 the time on your own time.
6 And I would like to give
7 you a round of applause
8 for that because you
9 deserve that.

10
11 (All applause.)

12
13 EXECUTIVE VP SAWCHUK:
14 Mike talked a little about
15 this HALT legislation, so
16 I'll give you my spin on
17 it because it's
18 concerning. We're going
19 to face challenges. And
20 you will hear people speak
21 of ideals and other
22 initiatives for prison
23 reform. Embedded in

81

1 to implement new programs
2 that their voices were
3 excluded regarding how the
4 programs will effect the
5 security of our
6 facilities.

7 It is important for the
8 membership to understand
9 that these initiatives
10 that NYSCOPBA views as
11 compromises to the safety,
12 security of our members in
13 prisons are being
14 introduced in legislation
15 which will change the laws
16 in New York State.

17 They're not policies
18 introduced by the
19 Department that could be
20 discussed and debated at
21 labor management meetings.
22 This means that if
23 legislation is signed into

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1 progressive framework for
2 this country is that the
3 victims are the inmates in
4 the system.

5 This irony becomes
6 immediately evident within
7 the proposal of HALT
8 legislation. Convicted
9 felons are being cast as
10 the innocent and those of
11 us running the facilities
12 day to day operations are
13 being demonized.

14 The reality is that
15 corrections officer and
16 our members that work in
17 law enforcement titles,
18 are on the front lines of
19 a crisis. As Mike had
20 mentioned, we are past a
21 high level mark of 896
22 which I believe was 2015.
23 Our members will be forced

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1 law, NYSCOPBA members may
2 have no choice but to
3 follow the law. As you
4 are aware, with the recent
5 election results in the
6 State of New York, the
7 executive and legislative
8 branches are controlled by
9 the same party.

10 As such, any opposition
11 to legislative initiatives
12 that are passed could be
13 moot. We must all come
14 together as one unified
15 organization and try to
16 stop the legislation from
17 being passed. Unionism is
18 overcoming obstacles.
19 That is not mine. You
20 can't focus on the minnows
21 in the small pond; we got
22 to focus on the sharks in
23 the water because they are

84

1 out there.

2 I understand the
3 sacrifice that you make
4 each and every day.
5 Staffing shortages
6 continue to plague us,
7 causing longer work hours
8 and creating fatigue and
9 stress. Double bunking is
10 unacceptable and I will
11 continue to push for safer
12 work place and better
13 equipment.

14 If we truly want to
15 achieve joint facilities,
16 those that prescribe to
17 lower prison reform, are
18 not to undermine security
19 or diminish our experience
20 and knowledge of safety
21 and security.

22 On a final note, this
23 is a wonderful time of

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1 it takes to find out, if
2 necessary, what action may
3 be appropriate to
4 challenge that.

5 I will continue to tour
6 your work sites and I'm
7 always available by phone
8 or e-mail. And I would
9 like to wish all of you a
10 happy, safe holiday
11 season. And there is a
12 party tonight. I would
13 like all of you to leave
14 your frustrations whatever
15 they may be at the door
16 and let's celebrate one
17 hell of a great
18 organization called
19 NYSCOPBA. Thank you.

20 PRESIDENT POWERS:
21 Frank?

22 TREASURER GILBO:
23 Good afternoon.

87

1 year to celebrate with
2 family and friends. But
3 for some, it can be a
4 difficult time of year.
5 If you or a family member
6 is in need of assistance,
7 please reach out to EAP,
8 we have a coordinator here
9 today. Reach out Catch A
10 Falling Star, visit our
11 website for these programs
12 or reach out to your local
13 EAP.

14 Stewards are the first
15 point of contact when you
16 have a question about
17 whether a work place right
18 has been violated or when
19 you have an idea or a
20 solution that the union
21 should be facing. It's
22 the stewards
23 responsibility to do what

86

1 Treasurer's report. Total
2 cash on hand, 11.12
3 million. Rainy Day Fund
4 I'm happy to say is up to
5 a hundred sixty thousand.
6 People have been starting
7 to pay. I have called the
8 finance committee out, we
9 called some people and
10 they're starting to pay.
11 Legal defense is up to
12 2.53 million.
13 Unrestricted bonds, 6.11
14 million. Restricted
15 bonds, 1.49 million. Gen
16 ops, 2.11 million. I'm
17 also happy to say we will
18 not have to sell a bond to
19 pay for the union leave
20 bill this year so --
21 because one of our bonds
22 is up in January. And
23 selling that early was

88

1 probably bad, so we can
2 wait and get paid for
3 that. Any questions?

4 Okay. The budget, you
5 all got it, read it
6 last -- you got it in your
7 packets. Any questions?

8 DONN ROWE: Rowe, Hale
9 Creek. Frank, first of
10 all, we requested -- I
11 requested profit loss
12 documentation.

13 TREASURER GILBO: And I
14 told you to come to the
15 office.

16 DONN ROWE: No, you
17 told me at the mic it
18 should be in your e-mail.
19 And I asked for worksheets
20 and you said yes at the
21 mic. Then I e-mailed you
22 after I didn't get them
23 and we went round and

89

1 round. For some reason,
2 and Dave you went to the
3 mic and said, in the
4 thought of transparency
5 they're mailed out,
6 they're given out every
7 EA.

8 Is there a reason why
9 we're not getting them any
10 more as of October?

11 TREASURER GILBO: As as
12 I know, you come to the
13 office for that. That's
14 what I was told.

15 DONN ROWE: Well, I got
16 everyone except for the
17 October's EA. So, why the
18 change?

19 TREASURER GILBO: I'm
20 not sure on that. I will
21 find that out.

22 DONN ROWE: You're not
23 sure? I think you need to

90

1 read the minutes because I
2 think you said it should
3 be in your e-mail.

4 TREASURER GILBO: Okay.

5 DONN ROWE: On the
6 budget, can you expand on
7 the consulting, what's
8 that for?

9 TREASURER GILBO: What
10 line number was that?

11 DONN ROWE: 5810.

12 TREASURER GILBO:
13 Consulting temporary staff
14 was for some of the
15 contracts went up.

16 DONN ROWE: How did
17 they go up if they didn't
18 come here?

19 TREASURER GILBO:
20 What's the question.

21 DONN ROWE: What were
22 the contracts?

23 TREASURER GILBO:

91

1 Garnet River, the JIC
2 contracts.

3 DONN ROWE: When did
4 they go up?

5 TREASURER GILBO: From
6 this year to last year.

7 DONN ROWE: When did
8 they go up?

9 TREASURER GILBO: When
10 did they expire?

11 DONN ROWE: Yeah, were
12 they brought to the EA?

13 TREASURER GILBO: I'll
14 find that out.

15 DONN ROWE: If I could
16 see -- I'd like to see a
17 breakdown of the
18 consulting. You gave me
19 the worksheets but it
20 didn't have the breakdown.
21 For some reason it wasn't
22 broken down.

23 And also in the PR, I

92

1 hate to beat a dead horse
2 but without the profit
3 loss, your over budget
4 right now for November and
5 that's without December's.
6 You're over budget about
7 between regional and
8 regular PR, you're pushing
9 four hundred thousand
10 dollars over budget and
11 you've added fifty
12 thousand.

13 And even if you
14 subcontract the campaign
15 of two seventeen which
16 was -- that's the number
17 you gave us was spent on
18 that, you're still over a
19 hundred eighty-three
20 thousand. Your regional
21 PR is over almost fifty
22 thousand and that's
23 without December.

93

1 would guess that all these
2 are gonna be even higher.

3 It's one thing -- we
4 spent eight hundred and
5 forty-six thousand on
6 advertising; I'm good with
7 that. But you got a nine
8 hundred thousand dollar
9 budget that you're dealing
10 with. These other things,
11 these promos and SAPs,
12 somebody has got to put a
13 handle on it and somebody
14 has got to put a handle on
15 the region.

16 TREASURER GILBO: I'll
17 be doing that. I can't
18 speak for first -- before
19 I got the job, but I will
20 put a handle on that
21 spending.

22 PRESIDENT POWERS:
23 Donn, could you forward to

95

1 TREASURER GILBO: Yeah.

2 DONN ROWE: Did you
3 talk about that in the
4 finance committee?

5 TREASURER GILBO:
6 That's something that we
7 addressed, but the budget
8 ebbs and flows. We get
9 some money out of one
10 line, move in to the next
11 line. We think that some
12 things should be fought
13 harder, the public
14 relations stuff, we got to
15 get out there and --

16 DONN ROWE: These are
17 basic -- these are taking
18 the expense -- taking the
19 campaign out of it. This
20 is -- your SAPs way over,
21 your promo is almost a
22 hundred sixty-four
23 thousand for November. I

94

1 me all your questions here
2 and we'll get a handle on
3 all this?

4 DONN ROWE: I'd rather
5 have them here, Mike. But
6 again, I'd like to make a
7 motion to table the budget
8 consideration until the
9 next EA. And be provided
10 the profit loss as we have
11 been provided. And
12 provided whatever anybody
13 else has questions.

14 We really got to look
15 at this. We're getting
16 into a situation three
17 years -- you know, I made
18 the motion about using
19 25.9 money out of your
20 reserves because
21 historically we've always
22 got it. But when you go
23 in one, two and now three

96

1 years, we can't do it
2 again because we're going
3 to drop under that six
4 million.

5 And if you look at
6 these numbers we're coming
7 in over budget in a hole.

8 PRESIDENT POWERS:
9 Please forward me your
10 questions.

11 DONN ROWE: Well,
12 they're stated on the mic
13 just like last time.

14 PRESIDENT POWERS:
15 Donn, you got a motion?

16 DONN ROWE: Yes.

17 PRESIDENT POWERS:
18 Second?

19 KENNY GOLD: I'll
20 second it.

21 PRESIDENT POWERS:
22 Kenny Gold second. Write
23 that up for us, Donn.

97

1 Your motion is to table
2 the 2019 executive -- or
3 NYSCOPBA budget until the
4 following EA?

5 DONN ROWE: Yes.

6 PRESIDENT POWERS:
7 Anybody else have any
8 questions about the
9 treasurer's report?

10 DOUG WESTERVELT: Can
11 we go off the record?

12 PRESIDENT POWERS:
13 About the treasurer's
14 report?

15 DOUG WESTERVELT: Well,
16 it concerns the
17 treasurer's report and I
18 don't think I should put
19 this on public record.

20 PRESIDENT POWERS
21 Unanimous consent to go
22 off record?
23

98

1 (All respond with aye.)

2
3 (Motion to go off the
4 record.)

5
6 PRESIDENT POWERS: Back
7 on the record. We have a
8 motion from Donn Rowe, to
9 table 2019 proposed budget
10 for consideration until
11 the next EA. All chiefs
12 provided with the most
13 recent profit loss report
14 and the detailed budget
15 worksheets. The motion is
16 made by Donn Rowe,
17 seconded by Kenny Gold.
18 Any discussion on the
19 motion? All in favor
20 signify by saying aye?

21
22 (Response of "Aye".)
23

99

1 PRESIDENT POWERS:
2 Anybody opposed?

3
4 (No Response.)

5
6 PRESIDENT POWERS:
7 Thank you.

8 TREASURER GILBO: Any
9 other questions?
10 Thank you.

11 PRESIDENT POWERS:
12 We'll move into
13 departmental reports.
14 Sharon?

15 SHARON SMITH: Good
16 afternoon. I have a few
17 things to go over, I'll go
18 quickly. The rates are
19 out. We sent them out to
20 everybody yesterday.
21 Membership services
22 blasted them out. I put
23 them in your packet, so

100

1 you have the hard copy. I
2 think the second page is
3 Grade 9 and below. I
4 think you get to the six
5 page it's Grade 10 and
6 above. So make sure you
7 looking at the one you
8 need to look at.

9 They were rather good.
10 The Grade 9 and below, the
11 individual went up
12 seventy-one cents for the
13 Empire Plan and four
14 dollars and twenty-seven
15 cents a pay period for
16 family. Grade 10 and
17 above, the individual was
18 ninety-six cents and
19 family was five dollars
20 and four cents.

21 The option transfer
22 period has started; it
23 started yesterday. And it

101

1 had changes in their
2 insurance coverage and
3 some copay changes and so
4 forth. And this year
5 actually they did
6 something they've never
7 done before with the
8 retirees. The retirees we
9 know in January if anybody
10 is talking to you will
11 start with the new copays.
12 They're going to start
13 having new copays all the
14 retirees they will go to
15 that plan.

16 But for the first time
17 the state is not
18 increasing the copays for
19 the prescription drugs for
20 the retirees, which was
21 never done before. So
22 because of that
23 difference, there's a

103

1 will run until January
2 18th, the end of the day
3 on the 18th. So now is
4 the time for people to go
5 down if they want to drop
6 their insurance, if they
7 want to change their
8 insurance. And, again,
9 the opt out program,
10 that's when people have to
11 either sign up for the opt
12 out or recertify that
13 they're staying in it.

14 The rates are a
15 little -- they actually
16 have three sets of rates
17 this year. There's rates
18 for those unions that
19 don't have a contract,
20 there's a different rate
21 for those that do have a
22 contract because
23 they're -- you know, they

102

1 third rate. They're kind
2 of in-between those that
3 have a contract and those
4 that don't.

5 So I thought I would
6 mention that if anybody
7 comes to you about why
8 everybody has a different
9 amount. So I also sent
10 you -- there was some
11 changes going into effect
12 January 1st. And I sent
13 you out a memo on the 10th
14 and there are some changes
15 beginning January 1st.

16 If you're not aware,
17 some people are not aware
18 with the new ACA health
19 insurance plan that went
20 into effect under the
21 Empire Plan, you now have
22 maximum out of pocket cost
23 for inpatient or in

104

1 network services. You
2 know, when you go out of
3 network you have a max
4 that you pay and after you
5 pay that amount, the
6 insurance pays all of the
7 bill, you know.

8 Okay. Let me explain
9 this better. If you go
10 out of network you have a
11 maximum amount and then
12 you pay eighty percent --
13 the insurance pays eighty
14 percent and you pay twenty
15 percent. Then after you
16 reach that maximum amount
17 of money, the insurance
18 company actually pays a
19 hundred percent if you
20 reach that max.

21 Well, in that work
22 there's also that now.
23 It's also for in network

105

1 there are drugs that are
2 excluded. This year there
3 were only two drugs that
4 are excluded for 2019.
5 They are both for
6 infertility drugs. Then
7 there was a drug that
8 presently was excluded
9 that will be put back on
10 on tier two.

11 So those were the only
12 changes. Just so you
13 know, they are
14 grandfathering anybody
15 that is currently on those
16 two drugs that will be
17 excluded, they will
18 grandfather them, let them
19 finish their treatment
20 with that drug that is now
21 excluded. And then once
22 their they're through with
23 that session, then they

107

1 and that changes every
2 year. So I put in there
3 the in network out of
4 pocket maximum for January
5 2019, is going to be a
6 total of seventy-nine
7 hundred for individual
8 coverage and fifteen
9 thousand, eight hundred
10 for family coverage. So
11 once someone has really
12 high charges or some
13 people that are really ill
14 in their family, when they
15 reach that maximum they
16 won't pay copays any more.
17 The insurance company will
18 pay that whole amount.

19 I also sent you out
20 something a bit back on
21 the formulary, as you know
22 the flexible formulary
23 changes every year. And

106

1 would have to change to,
2 you know, a drug that's
3 covered or pay out of
4 pocket themselves for it.

5 The New To You
6 prescription drug plan, if
7 you're aware of that.
8 That is the program if you
9 go to a doctor and he
10 gives you a new scrip and
11 he gives you a ninety day,
12 as you know if you go to
13 the pharmacy they'll only
14 fill a thirty day, they
15 fill two, thirty day first
16 to make sure you're not
17 allergic to the drug or
18 there's a problem with the
19 drug. Then after those
20 two fills you can get a
21 ninety day supply.

22 That's going away
23 January 1st. If you have

108

1 a ninety day scrip and you
2 go to the pharmacy, you
3 will get the ninety day.
4 If anybody is aware that
5 the New York Presbyterian
6 Hospital was in
7 negotiations with Empire
8 Blue Cross Blue Shield to
9 stay in the network. They
10 finally reached an
11 agreement and that
12 hospital does stay in.

13 So any of you that live
14 near that hospital or use
15 that hospital, they're
16 remaining in network.
17 Also starting January 1st,
18 the Empire Plan is having
19 an addition of
20 acupuncture. They're
21 going to have a network of
22 in network acupuncturists
23 to go. It's going to be

109

1 back in. And Lab Core
2 remains in also, so you're
3 not losing Lab Core
4 either. They'll both be
5 in network lab facilities.
6 Quest has over six
7 thousand of them
8 nationwide. So that's
9 good news.

10 And the last thing for
11 those that are in the
12 health care spending
13 account, anybody that
14 signed up for that,
15 they're finally going to
16 provide with you debit
17 cards. People will start
18 getting debit cards for
19 next year. So when they
20 go and get their services,
21 they can just use a card
22 and not have to pay the
23 plan and send the

111

1 in state only at this
2 point, so just within New
3 York State. They're going
4 to be working to get
5 providers in there. And
6 so if you go to those, you
7 will just pay a copay.
8 They said it would take
9 probably one to two years
10 to get a robust network.

11 If you know anybody or
12 if you have one that you
13 want to get in network,
14 you can always call me and
15 we can get the information
16 to the plan and see if we
17 can get them in. Another
18 is January 1st, Quest
19 Diagnostics will now be in
20 network for lab services.

21 They were in years ago
22 and then it went to Lab
23 Core and Quest will be

110

1 information in and get a
2 refund. So they should
3 look for that also.

4 And that's all I have
5 for anything new. If
6 anybody has any questions
7 on any of this?

8 UNIDENTIFIED SPEAKER:
9 Yeah, what about the debit
10 cards are for what?

11 SHARON SMITH: The
12 health care spending
13 account, anybody that has
14 signed up for that.
15 That's where you -- it's
16 pretax money, you know,
17 for maintenance, drugs,
18 something, you get to use
19 five hundred dollars a
20 year you're spending out
21 of pocket. So the five
22 hundred, what they do is
23 take it out of your

112

1 paycheck, that five
2 hundred for the twenty-six
3 weeks, but it's pretax, so
4 you save money tax wise.
5 So it saves you some money
6 for people that have high
7 out of pocket.

8 And they're going to
9 have a debit card now, so
10 you can just go to your
11 pharmacy or go to network
12 providers and just give
13 them the card when you get
14 services and that will
15 automatically deduct that
16 payment from that five
17 hundred dollars. You
18 don't have to submit a
19 claim to do that. Any
20 other questions? Okay.
21 thank you.

22 PRESIDENT POWERS:
23 Thank you, Sharon. We

113

1 hired a new health and
2 safety specialist, Dana
3 can you please stand?
4 Dana Betz was hired on
5 November 30th. She'll be
6 our new replacement in our
7 health and safety, and
8 Workers' Comp position.
9 So forward all concerns to
10 her. Welcome aboard,
11 Dana, and good luck.

12 (All applause.)

13
14
15 PRESIDENT POWERS:
16 Jimmy?

17 JIMMY MILLER: Just to
18 give you a little overview
19 from 2017 to 2018, and
20 what we did over the past
21 year.

22 As the statistics
23 basically either stayed

114

1 static or increased in
2 some categories with
3 inmate on staff and inmate
4 contraband and chemical
5 agents, we basically were
6 as aggressive in 2018 as
7 we were in 2017. Right
8 now up to this point, we
9 put out fifty-one press
10 releases compared to
11 fifty-eight last year. In
12 comparison to some of your
13 counterparts, the New York
14 State Police, the PBA,
15 only put out eleven press
16 releases. The New York
17 City Corrections union,
18 twenty-one.

19 So you're much, much
20 more aggressive in those
21 categories. Particularly
22 when you're talking about
23 violence in the facilities

115

1 and continuing that
2 message.

3 On the charity side,
4 where Vice President
5 Sawchuk mentioned about
6 the Northeast Kidney
7 Foundation. Currently
8 right now, you're running
9 a program with Make A Wish
10 it's in sixteen counties.
11 It's a program that's
12 gonna benefit five kids
13 that have some type of
14 chronic illness or
15 debilitating disease in
16 which they're going to
17 grant a wish. In one day
18 we raised sixteen thousand
19 dollars with them and the
20 program is going to be
21 running the entire month.

22 Based on that I did
23 numbers for the year.

116

1 Your organization
2 contributed four hundred
3 thousand dollars to
4 charities statewide.
5 Which maybe on the surface
6 if you break it down per
7 member isn't a lot, but
8 it's significantly higher
9 than any other
10 organization that I'm
11 familiar with.

12 And if you take that
13 and couple that with the
14 sponsorships that you do,
15 just in the Capitol region
16 alone, charities raised
17 over a million dollars.
18 So I think that sometimes
19 gets lost throughout the
20 state. But you guys are
21 very active, as Vice
22 President Sawchuk said,
23 that should be something

117

1 that you guys should be
2 commended for.

3 Lastly, I will be here
4 for the rest of the day.
5 The Buffalo Bills
6 graciously gave us fifty
7 additional tickets for
8 their final game against
9 the dolphins. They're
10 actually good seats,
11 they're Section 220,
12 everybody is sitting
13 together.

14 So if you want them --
15 december 30th, it's the
16 last game of the season.
17 So if anybody is
18 interested, obviously it's
19 a long way to go for some
20 people that are down in
21 the southern region, but
22 if you're interested, come
23 back and I'll distribute

118

1 them. And if not, I will
2 give them out to the VPs
3 to give them to anybody
4 who wants them.

5 UNIDENTIFIED SPEAKER:
6 Only fifty?

7 JIMMY MILLER: Only
8 fifty tickets, yes.
9 Please don't resell them.
10 Other than that, that's
11 it. If you don't have any
12 questions, I wish
13 everybody a Happy
14 Christmas.

15 PRESIDENT POWERS: Dan?

16 DAN VALENTE: Good
17 afternoon. I won't
18 reiterate some of the
19 points that were already
20 made by President Powers,
21 Keith Jacques and Chris
22 Duryea. Real quick,
23 obviously the power has

119

1 shifted in the senate and
2 it's a significant swing,
3 previous to election day
4 there were 23 Dems, now
5 we're looking at 40 Dems.
6 39 in the conference. We
7 know we got Singafelder
8 who is basically being
9 punished for his role in
10 his previous coalitions.
11 He's still out there,
12 doesn't have a conference,
13 he's an alien on an
14 island, but they don't
15 need him any more quite
16 frankly.

17 So there's a lot of
18 issues that are coming our
19 way. The HALT
20 legislation, 50-a. One
21 thing that wasn't
22 mentioned, it's gonna be a
23 big ticket item and it's

120

1 gonna cost billions of
2 dollars and that's single
3 payer health care, which
4 is otherwise known as the
5 New York Health Act or
6 Medicare for all.

7 Basically this is going
8 to do away with private
9 health insurance for
10 everybody. It's going to
11 levy an enormous payroll
12 tax on employers and
13 everybody in this room and
14 every employee in this
15 state. We're talking
16 three hundred plus billion
17 dollars for this to be
18 implemented.

19 Just to put that in
20 context, the New York
21 State budget is a hundred
22 sixty billion dollars. So
23 this is going to increase

121

1 the state budget
2 tremendously. And it's
3 going to have an extremely
4 huge impact not only on
5 the unions, which it
6 really remains to be seen
7 the impact of the unions
8 because of the contracts
9 that are negotiated. But
10 once those contracts are
11 expired, it remains to be
12 seen what will happen
13 under this type of plan.

14 This is in its infancy
15 stages. There's been some
16 push by the new Senate
17 Democratic majority, it's
18 going to be a priority for
19 them. The Governor has
20 indicated that because of
21 the cost that he's not
22 really too receptive of
23 it, but he does have

122

1 higher aspirations I think
2 and this would be one of
3 those type ticket items
4 that could propel him to a
5 national level.

6 So we're going to keep
7 an eye on that. That's a
8 big deal and it's
9 potentially coming. It's
10 been introduced to the
11 Assembly since 1992. It's
12 been passed for many
13 years, knowing that it was
14 never going to go anywhere
15 in a Republican Senate.

16 Times have changed
17 obviously. Things like
18 that, there's many bills
19 like that where the
20 Assembly Democrats have
21 passed legislation just to
22 get points for their
23 constituents and their

123

1 voters, knowing that the
2 bill wasn't going to go
3 anywhere in the Senate.
4 So that's part of the
5 battle we're going to have
6 going forward.

7 Some of the other
8 issues, obviously we got
9 the Death Gamble Bill out
10 there, which will be
11 delivered by the end of
12 the year. We'll be
13 putting out a call to
14 action for our members to
15 contact the Governor's
16 Office urging him to sign
17 that piece of legislation
18 into law.

19 Much like we've done in
20 years past. Keep an eye
21 out for that. Encourage
22 your members to do that.
23 The louder the voice we

124

1 have, hopefully we will
2 have a better impact on
3 the results of that
4 legislation.

5 The State of State
6 address -- well, the
7 calendar was just released
8 literally in the last
9 hour. The session starts
10 January 9th, which is a
11 little bit later than
12 normal. Past couple years
13 the Governor has combined
14 his budget address and the
15 State of State address. I
16 expect that to be the case
17 again this year. No date
18 has been set but we will
19 be keeping an eye on that
20 to see what type of
21 policies and initiatives
22 that the Governor is going
23 to be looking towards in

125

1 from each facility; it
2 went very well. But we
3 found in years past,
4 typically our Lobby Days
5 are in May, we're pushing
6 towards the end of session
7 and we're pushing our
8 legislative agenda,
9 we were able to alter the
10 EA calendar, so the next
11 EA is going to be in March
12 during the week of March
13 4th, I believe. I believe
14 the EA is the 6th and 7th
15 of March.

16 So we're going to have
17 a Lobby Day on March 5th
18 this year. This is going
19 to allow us to get
20 involved with budget
21 discussions. Because
22 everything right now with
23 this Governor, anything --

127

1 his third term.

2 Hopefully his final
3 term; hopefully shortened
4 third and final term. So,
5 with that the budget is
6 due on February 1st.
7 That's the latest that the
8 budget can be introduced.
9 Again, we'll be going
10 through that with a fine
11 tooth comb and looking at
12 all the details on the
13 issues, anything that
14 might impact this
15 organization.

16 And finally, our Lobby
17 Day for 2019, we changed
18 it up this year. We
19 changed it up last year
20 with just allowing the
21 chiefs, not allowing, but
22 just making it available
23 to the chiefs or designee

126

1 any new policies that he
2 wants to implement he
3 crams it in the budget.
4 He takes away the voice of
5 a lot of people. So we
6 want to make sure our
7 voice is there in Albany
8 when these conversations
9 are taking place.

10 So, again, March 5th,
11 please plan on being in
12 Albany for a Lobby Day.
13 It will be for chiefs or a
14 designee from each
15 facility. We encourage
16 every facility to be
17 represented in one form or
18 another. Please mark that
19 down on your calendar. We
20 hope to see you there.
21 We'll have the agenda for
22 you to pursue at that
23 point, much is going to be

128

1 pending on what is
2 contained in the
3 Governor's budget.

4 So if anybody has any
5 questions about the plan
6 going forward or the
7 legislation that's pending
8 or new ideas for
9 legislation, we're always
10 welcome to hear it and
11 entertain those ideas.
12 But if there is no
13 questions, then I have
14 nothing further.
15 Thank you.

16 PRESIDENT POWERS:
17 Thank you, Dan. Bill?

18 BILL NAYLOR: Good
19 afternoon. The IRS
20 increased contribution
21 limits for deferred comp.
22 So, for 2018 going forward
23 for those that are

129

1 questions for me?

2 Thank you.

3 PRESIDENT POWERS: Ten
4 minute break.

5
6 (Recess taken.)

7
8 PRESIDENT POWERS: All
9 right. We're going to
10 move into committee
11 reports. Start with
12 collective bargaining.
13 John, Mike.

14 VP MID-HUDSON MAZZELLA:
15 Good afternoon. Is this
16 loud enough for everybody
17 to hear? There's no
18 volume control. This
19 sounds pretty crappy. Of
20 course, it's just me that
21 sounds crappy.

22 I'm Mike Mazzella,
23 Mid-Hudson Region Vice

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1 participating from
2 eighteen thousand five
3 hundred to nineteen
4 thousand a year. Catch up
5 contribution limits were
6 increased by a thousand
7 from thirty-seven to
8 thirty-eight thousand.
9 And the fifty plus
10 deferral limit was
11 increased from twenty-four
12 thousand five hundred to
13 twenty-five thousand.

14 Chapter stats for
15 October, November, we
16 added a 154 retirees, five
17 honorary retirees were
18 added, thirteen members
19 passed. We had eight
20 failed to renew. And our
21 current total for retirees
22 is ten thousand, five
23 hundred seventy-six. Any

130

1 President and also
2 co-chair of the collective
3 Bargaining Committee. To
4 my right is John Harmon,
5 Law Enforcement Vice
6 President and co-chair to
7 the committee as well.

8 As you know we have
9 been in mediation for
10 quite some time. And in
11 mediation as you know both
12 parties continue to work
13 towards an agreement. I
14 can tell you that after
15 working yesterday till
16 approximately 11:30, 11:45
17 p.m. started at 9:30 in
18 the morning.

19 We have reached an
20 agreement. So at this
21 time, I'd like to do two
22 things.

23 Number one, I'd like to

132

1 go into Executive Session.
2 And the purpose is to
3 discuss and vote on
4 confidential issues. So,
5 do I have any objections
6 to going into Executive
7 Session for that purpose?

8
9 (No response.)

10
11 VP MID-HUDSON MAZZELLA:
12 Seeing no objections, we
13 will now go into Executive
14 Session.

15 (Whereupon, the
16 EXECUTIVE ASSEMBLY MEETING
17 then went into closed
18 EXECUTIVE SESSION at 3:05
19 p.m.)

20
21
22 PRESIDENT POWERS:
23 Let's bring everybody back

133

1 So what we're going to
2 do is overnight and mail
3 it probably by Friday to
4 your houses. Is that an
5 issue with anybody in the
6 assembly here?

7 VP LAW ENFORCEMENT
8 HARMON: Mike, with the
9 salary schedule and the
10 retro.

11 VP MID-HUDSON MAZZELLA:
12 And also the salary
13 schedule and the proposed
14 retro will be in that
15 packet as well. All
16 right. So, if everybody
17 is good with that, we'll
18 overnight and mail that to
19 each chief steward. Make
20 sure your current address
21 is on file please.
22 Thank you.

23 PRESIDENT POWERS:

135

1 in.

2 (Whereupon, a brief
3 recess was then taken.)

4
5 (Whereupon, the
6 EXECUTIVE ASSEMBLY Metting
7 then continued at 5:05
8 p.m.)

9 VP MID-HUDSON MAZZELLA:
10 We do have some -- we do
11 have some important
12 information. Besides the
13 fact that the overtime
14 denominator was put on
15 Facebook within seven
16 minutes after we talked
17 about it, besides that
18 fact, there is no way
19 we're going to get this
20 MOU to you guys with this
21 signature with Belaforte
22 on it today; it's not
23 going to happen.

134

1 Constitution and Bylaws.
2 Okay. Election committee,
3 Heath?

4 HEATH ALLEN: We got
5 some openings in the
6 committees in the Southern
7 Region. For grievance and
8 legal committee?

9 VP SOUTH FISHER:
10 Clarence Fisher, Southern
11 Region VP. Ms. Aldo out
12 of Lincoln.

13 HEATH ALLEN: And
14 legislative and political
15 action committee?

16 VP SOUTH FISHER:
17 Parish Frasier out of
18 Taconic.

19 HEATH ALLEN: We got
20 some law enforcement
21 openings for two
22 committees. Publicity and
23 meetings and Rainy Day

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1 Recall.
 2 VP SOUTH FISHER: I
 3 have to withdraw Aldo's
 4 name there something was
 5 just brought to my
 6 attention, it wasn't
 7 signed up for. I leave it
 8 vacant until the next one.
 9 HEATH ALLEN: John
 10 Harmon?
 11 VP LAW ENFORCEMENT
 12 HARMON: John Harmon, Law
 13 Enforcement Vice
 14 President. Publicity and
 15 meetings, I nominate Mario
 16 Schiavone.
 17 HEATH ALLEN: Rainy Day
 18 Recall?
 19 LAW ENFORCEMENT VP
 20 HARMON: Leave it vacant
 21 for now, please.
 22 HEATH ALLEN: Central,
 23 Scott Carpenter. Retiree

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1 MAZZELLA: Make a motion
 2 to adjourn until tomorrow
 3 morning and continue
 4 business in the morning?
 5 Anybody want to second?
 6 Not that I care that much
 7 myself, but the Christmas
 8 party starts in 20
 9 minutes, so if we can get
 10 a second to recess.
 11 DONN ROWE: Rowe.
 12 PRESIDENT POWERS: All
 13 in favor?
 14
 15 (Response of aye.)
 16
 17 PRESIDENT POWERS
 18 Anybody opposed?
 19
 20 (One response of nay.)
 21
 22 PRESIDENT POWERS:
 23 Standby a second. I want

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1 committee?
 2 CENTRAL REGION VP
 3 CARPENTER: Scott
 4 Carpenter, Central Region
 5 VP. Mark Davis out of the
 6 Central Region.
 7 HEATH ALLEN: Northern
 8 region, John Roberts,
 9 Grievance and Legal
 10 Committee?
 11 VP NORTH ROBERTS: Cory
 12 Vanderberger, Washington.
 13 HEATH ALLEN: And OSI
 14 Committee?
 15 VP NORTH ROBERTS: OSI
 16 Committee, Jason Ashlyn,
 17 Great Meadow.
 18 HEATH ALLEN: That's
 19 all I've got. Any
 20 questions? Okay. Thank
 21 you.
 22
 23 VP MID-HUDSON

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1 to wish everyone a happy
 2 holiday, big shout out to
 3 the staff of NYSCOPBA.
 4 Mary, Darlene, many of the
 5 staff at NYSCOPBA Land.
 6 Take care. We'll see you
 7 in the New Year.
 8 Everybody have a good
 9 holiday.
 10
 11 (Whereupon, the
 12 EXECUTIVE ASSEMBLY then
 13 adjourned for the day.)
 14
 15 * * * *
 16
 17
 18
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 20
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 22
 23

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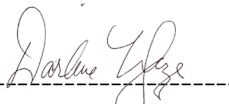
1 STATE OF NEW YORK)

2 SS:

3 COUNTY OF ERIE)

4
5 I, DARLENE L. JERGE, a
6 Notary Public in and for the State
7 of New York, County of Erie, DO
8 HEREBY CERTIFY that the MINUTES of
9 the EXECUTIVE ASSEMBLY, were taken
10 down by me in a verbatim manner by
11 means of Machine Shorthand, on
12 DECEMBER 12, 2018. That the
13 MINUTES were then reduced in
14 writing under my direction.

15 I further CERTIFY that
16 the above-described transcript
17 constitutes a true and accurate and
18 complete transcript of the minutes
19 taken.

20
21
22 

23 DARLENE L. JERGE,
Notary Public.

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