

## **EXECUTIVE BOARD MINUTES**

**Date:** April 9, 2019 Meeting called to order at 9:23 am

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

**Attorney:** Larry Schaefer– LMWF

**Guests:** Dave Luther, Southern BA, Keith Jacques - LMWF

**Minutes:** minutes sent via email for approval sent out April 4, 2019 attached to the agenda.

### **Directive Changes:**

2201	0000	4483	0086	9250
2200	4030	9805	2700	9217
4934	4064	2900	2770	4035
2604	4026	4330	2113	2209
2220	2214			

**Next meeting:** May 7, 2019 in Syracuse

**Correspondence:** Pride USA

### **President's Report–**

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

3/6 EA  
3/7 Office  
3/11 Office – NEA Contract Meeting  
3/12 Office  
3/13 WFH – Travel to Poughkeepsie

3/14	Women IN Corrections Conference
3/15	Office
3/16	Travel to Utica – Domestic Violence Charity Event
3/17	Travel Back to Albany
3/18	Office
3/19	Office – Legislative Reception
3/20	Office
3/21	Office – NEA Contract Meeting
3/22	Office
3/23	Make A Wish Charity Event
3/25	Office
3/26	Office
3/27	Office – Shawangunk Tour
3/28	Office
3/29	Office
4/1	Office
4/2	Office – NEA Contract Meeting
4/3	Office – Mid-State Tour
4/4	Office
4/5	WFH
4/8	Office
4/9	Office – Board Meeting

Phone Calls - Contract / JE / Retirement / Prison Closures

### **Treasurer's Report-**

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

### **Law Enforcement Report:**

- Pay Bill passed NYS Legislature and awaiting Governor's signature.
- Contractual language implemented effective February 19, 2019.
- Had discussion with NYS Comptroller's Office pertaining FAS Calculations and posted information.
- NYS Deferred Compensation reached out to options with retro check.
- 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.
- CNYPC workers compensation discrimination case answer received and denied. Looking at other remedies.
- Attended several PR Events and met with PR clients for branding and advertising plans.
- OMH Statewide LMM held on March 8, 2019 at 1030. Awaiting minutes from meeting.
- LMM NYCCC held March 26.
- SUNY Stonybrook union meeting held on March 18, 2019.
- Meetings with SUNY Albany concerning alternative scheduling and more hiring.
- 2019 LE Legislative Agenda being finalized for 2019 session.
- Visited Manhattan PC, Kirby PC, SUNY Albany, SUNY Downstate, MidHudson PC, Finger Lakes DDSO.
- Meeting with OPWDD and Homeland Security concerning OPWDD Safety Officer Issues.
- SHTA Retirement Legislation being prepared for 2019 session. List finalized for legislation draft.
- Looking into Davis vision all-inclusive plans, same for dental.
- Several meetings with SUNY Downstate Medical over parking issues and increased fees in future.

### **Southern Region Report:**

### **Western Region Report:**

3.6.19 = EA

3.7.19 = EA

3.8.19 = Office, Mtg. With Member (Rochester)

3.11.19 = Office

3.12.19 = Office, Arb. Auburn-Auburn,

3.13.19 = Site Visit FivePoints Q&A Attica-Wende, Arb. Auburn-Auburn

3.14.19 = Office, Mtg. Orleans

3.15.19 = Office, Arb. Prep Attica-East Aurora

3.18.19 = Office

3.19.19 = Office, Leg. Reception

3.20.19 = Q&As Collins-Wende

3.21.19 = Office, Site Visit Livingston With Assm. Burns, Jacobs Event Buffalo

3.22.19 = Office, Mtg. With Member(Groveland)

3.25.19 = Office, Arb. Prep (East Aurora —Gowanda, Travel Suffern

3.26.19 = Office, WPV Training

3.27.19 = Q&A Wende-Wende, Willard Wellness Day, WPV Training

3.28.19 = EHS Syracuse-Willard, IME Corning-Elmira

3.29.19 = Office

4.1.19 = Office, Arb. Preps(3) East Aurora- Orleans

4.2.19 = Office

4.3.19 = Office

4.4.19 = Office, Step 2s Groveland

4.5.19 = Office

4.8.19 = Office, Travel (Saratoga)

4.9.19 = Office, Work Place Viol. Training

Western Region Disciplines

Suspended = 14 Adm. Leave = 2 NODs = 37 RDF Eligible = 5

### **Central Region Report:**

03/06/19 – 03/07/19 Executive Assembly meeting in Albany NY @  
Desmond Hotel

03/08/19 – Central region office hours

03/11/19 – Central region office hours

03/12/19 – Central region office hours / Attend Mohawk CF union  
meetings

03/13/19 – Central region office hours

03/14/19 – Central region office hours

03/15/19 – Central region office hours

03/18/19 – Central region office hours

03/19/19 – Central region office hours / attend legislative reception at  
Albany Renaissance Hotel

03/20/19 – Central region office hours / returned from legislative reception  
in AM.

03/21/19 – Central region office hours

03/22/19 – Central region office hours

03/25/19 – Central region office hours

03/26/19 – Central region office hours

03/27/19 – Central region office hours

03/28/19 – Central region office hours / CRVP out of office

03/29/19 – Central region office hours / CRVP out of office

04/01/19 – Central region office hours

04/02/19 – Central region office hours / Retirement Specialist B. Naylor in  
C.R. office

04/03/19 – Central region office hours / Attend Midstate CF PESH tower  
complaint closure meeting Tour Midstate CF “Step Down” program bldg.  
(see note \*\*)

04/04/19 – Central region office hours / Tour Cape Vincent CF and attend  
membership meeting

04/05/19 – Central region office hours

04/08/19 – Central region office hours

04/09/19 – Central region office hours / Executive Board meeting @  
NYSCOPBA HQ Albany NY

\*\* Midstate tour included Exec VP T. Sawchuk, Treasurer F. Gilbo,  
Recording Sec. C. Summers, CRBA J. Combs and NYSCOPBA Health and  
Safety Spec. D. Betts.

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

03/06/2019 - Executive Assembly  
03/07/2019 - Executive Assembly  
03/08/2019 - Disciplinary Arbitration  
03/11/2019 - Disciplinary Arbitration  
03/12/2019 - Q&A  
03/13/2019 - Q&A  
03/14/2019 - Q&A  
03/15/2019 - Disciplinary Prep Meeting  
03/18/2019 - Q&A  
03/19/2019 - Legislative Reception  
03/20/2019 - Q&A  
03/21/2019 - Q&A  
03/22/2019 - Disciplinary Arbitration  
03/25/2019 - Office  
03/26/2019 - Step 2's at Green Haven, Fishkill, Downstate  
03/27/2019 - Tour Shawangunk  
03/28/2019 - Office  
03/29/2019 - Office  
04/01/2019 - Weapons Requalification  
04/02/2019 - 04/09/2019 Vacation

\*\*\* Major incident on Saturday 3/06/2019 at Green Haven CF. After  
breaking up a fight in the Keeplock Recreation yard, the Officers were  
attacked by inmates. A shot was fired from the Observation Tower.  
Injuries to staff were reported.

Fishkill CF - Received several complaints about the departments push  
against beard exemptions.

Green Haven - Major drug bust by the package room Officers. I've spoken  
with the Supt to ensure that Commendations are given to the Officers. I've  
also contacted Senator Harckham and Assemblyman Lalor to ask for a  
renewed push for the Secure Vendor Program.

Greene CF - There is an issue with Pre-Approved Sick requests being  
automatically denied. I've contacted Assistant Commissioner Kirkpatrick  
who stated that he will look into it. Still waiting for his response.

Hudson CF - There is a recent increase in throwing incidents. It seems as if the inmates are not being punished at all for their actions. Waiting on a full report from the Sector

Otisville CF - An issue was reported regarding the selection of staff to attend Fire & Safety Officer Training. I've reported the issue to Assistant Commissioner Griffen. Still waiting for his response.

Shawangunk CF - There are concerns regarding the placement of the J-Pay Kiosks due to the camera viewing area.

Sullivan CF - The rear gate Officer has again requested a closed circuit camera in order to view the rear gate entrance door. He cannot get a clear visual from his position prior to opening the door remotely.

DCJS is sending out letters to former members who have either resigned or retired pending an investigation. The letters are telling the members that their Peace Officer Status as reported to their system has been revoked by DOCCS due to employee misconduct. The Attorneys have been informed.

We had an issue with the way interrogations are being conducted with OSI and Labor Relations. A letter regarding the complaint was sent to Deputy Commissioner Martuscello and OSI Director Stephen Maher. Still waiting on the response.

### **Northern Region Report:**

3-8-19 Albany office, Q&A

3-11-19 Q&A at academy, met with vendors in area

3-12-19 Franklin site visit

3-13-19 meeting with Essex county da

3-14-19 Albany

3-15-19 Albany

3-18-19 Albany

3-19-19 Albany, legislative reception, Washington county da

3-21-19 Dannemora meeting with EAP

3-22-19 Caysa meeting lake placid

3-25-19 Albany

3-26-19 Albany, Step 2 Ogdensburg

3-27-19 Albany. Ata Qna x4

3-28-19 Albany, perp office for IP

3-29-19 Albany

4-1-19 Clinton site visit and meetings with Frank, Chris, Billy, Rick, Q&A at ATA

4-2-19 Q&A in Utica

4-3-19 Vermont children's hospital, Elmore SPCA

4-4-19 **Altona** step 2 site visit

4-5-19 meeting with member over article 78 1-2 claims

4-8-19 Q&A x 4

4-9-19 Albany board meeting, Q&A

RDF 0

IP at Washington about goer (odm)

Arb ex arb pending

**Unfinished Business:** None

**New Business:**

-Executive Assembly Rules of Order Proposed For May 8, 2019 EA

- Executive Assembly Dates for 2021

-Letters for Executive Board position (Southern Region)- One letter was submitted. Motion was made to appoint Dave Luther as the Southern Region VP. (see motion attached)

-Outside Police Agency/ ODM- to try to set it like a Q&A with Union Rep present during the interrogation.

-Catastrophic application approval was discussed about changing the policy on the Catastrophic. Was tabled until next board meeting.

- Security Officer W. Wells from Buffalo Psychiatric Center. An Article 75 proceeding would need to be filed by May 14, 2019.

- Pride USA would like permission to have posted on union boards and posted on websites so our members could join if they would like to. The



board decided against this. As we have never posted anything like this before for any other motorcycle group.

- 2 membership applications to join the union. The seniority dates are 1/5/1998 and 6/20/2011. Since these members never opt out they fall under the Non-Member "Free Rider" Policy which has to go to the next Executive Assembly
- An file an Article 78 proceeding for Officer Jennings due to a termination after one year of workers' compensation leave. (See motion attached)
- Grievances for Executive Board Closure CON 15-0442, CON 16-0362, CON 16-0528, CON 16-0520 (See motions attached)
- Directive 2208A- Workers' Compensation Benefits

**Motions:**

Rainy Day Fund Applications –B. Clonte, D. Miller, J. Hardy, S. Disalvo  
(See motions attached)

Legal Defense Fund Applications- None

Honorary Retiree Chapter Applications- T. Nevills, Galen Seeerup,  
H. Garrow (See motions attached)

Action Without A Meeting To appoint Dave Luther on an interim basis as the Southern region Vice President. **PASSED**

Action Without A Meeting To file an Article 78 on the behalf of J. Perkins.  
**PASSED**

A handwritten signature in black ink, appearing to read "Chris Summers", followed by a horizontal line.

Chris Summers  
Recording Secretary



# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
B. Clonte.

---

---

---

---

---

---

---

---

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>		
<b>Miano</b>		
<b>Fisher</b>		
<b>Roberts</b>		
<b>Harmon</b>		

DOES NOT FALL UNDER Policy

Date: April 9, 2019

# MOTION SHEET

Motion:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed/Defeated:

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo	EXCUSED	
Carpenter		

	YES	NO
Mazzella		
Miano	EXCUSED	
Fisher		
Roberts		
Harmon		

BACK TO WORK

Date: April 9, 2019

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
S. Disalvo.

---

---

---

---

---

---

---

---

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	Excused	
Carpenter	✓	

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

Date: April 9, 2019



# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
D. Miller.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	Excused	
Carpenter	✓	

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

Date: April 9, 2019

# MOTION SHEET

Motion:

To approved the Honorary Retiree Chapter application  
For T. Nevills.

---

---

---

---

---

---

---

---

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>	Excused	
<b>Carpenter</b>	✓	

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

Date: April 9, 2019

# MOTION SHEET

Motion:

To approved the Honorary Retiree Chapter application  
For G. Seerup.

---

---

---

---

---

---

---

---

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>	Excused	
<b>Carpenter</b>	✓	

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

Date: April 9, 2019



# MOTION SHEET

Motion:

To approved the Honorary Retiree Chapter application  
For H. Garrow.

---

---

---

---

---

---

---

---

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion ~~Passed~~ Defeated:

5 to 1

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

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

Date: April 9, 2019

# MOTION SHEET

Motion:

To File an Article 75 on the behalf of W. Wells

---

---

---

---

---

---

---

---

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed Defeated: **UNANIMOUS**

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	Excused	
Carpenter	✓	

	YES	NO
Mazzella	✓	
Miano	Excused	
Roberts	✓	
Harmon	✓	

Date: April 9, 2019

# MOTION SHEET

Motion:

To File an Article 78 on the behalf of.  
Jennings.

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>	Excused	
<b>Carpenter</b>	✓	

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

Date: April 9, 2019



# MOTION SHEET

Motion:

To Close Grievances CON 15-0442, CON 16-0362,  
CON 16-0528, 16-0520  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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>	Excused	
<b>Carpenter</b>	✓	

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

Date: April 9, 2019

# MOTION SHEET

Motion:

To appoint Dave Luther as the Southern Region  
Vice President.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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>	Excused	
<b>Carpenter</b>	✓	

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

Date: April 9, 2019

# **ACTION WITHOUT MEETING**

Proposed: To appoint Dave Luther on an interim basis as the  
Southern Region Vice President.

\_\_\_\_\_

\_\_\_\_\_

Proposal Made by: John Harmon

Action Result:

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

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

Date: March 11, 2019



# **ACTION WITHOUT MEETING**

Proposed:    To file an Article 78 on the behalf of Jesse Perkins

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposal Made by:                      Joe Miano

Action Result:

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

	YES	NO
<b>Mazzella</b>	<b>x</b>	
<b>Miano</b>	<b>x</b>	
<b>Luther(Interim)</b>	<b>x</b>	
<b>Roberts</b>	<b>x</b>	
<b>Harmon</b>	<b>x</b>	

Date:                      March 28, 2019