EXECUTIVE BOARD MINUTES

<u>Date</u>: October 8, 2019 Meeting called to order 9:25 am

ROLL: Michael Powers, President- via phone

Tammy Sawchuk, Executive Vice President

Chris Summers, Recording Secretary

Frank Gilbo, Treasurer Scott Carpenter, VP Central Mike Mazzella, VP Mid-Hudson

Joe Miano, VP Western Dave Luther, VP Southern John Roberts, VP Northern John Harmon, VP LE

Attorney: Larry Schaefer– LMWF

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

Minutes: minutes sent via email for approval October 4, 2019 attached to this

agenda. -Approved

Directive Changes:

9030	2005	8400	0050
9245	0063	4944	9504
9072	9213	4404	9515
9509	0750	4422	9230
9224	0095		

Next meeting: November 19,2019

Correspondence: Wayne County Sheriffs Office

President's Report-

9/16/19- Confirmed clear bag meeting with the department. Also addressed with the department about Mohawk's operation of mandatory recreation and shortage of staff.

9/17/19-Sonya resigning and a new employee has been hired. Meeting with Keith & Grammercy about the President message.

9/18/19- Office/ Signal 30 event in Saratoga

9/19/19 -Statewide NYSCOPBA Golf event

9/20/19 -Department advised that Sullivan County was under a boil water advisory, truckloads of water being sent into Sullivan CF. Keith had a meeting with Mocica about staffing and Article 15.

9/23/19- Clear bag meeting

Sent over the response to the department proposed changes to Employee Manual

9/24/19- Office emails with department over Franklin Sgt issues with time off.

9/25/19- Office/Received proposed regulations for work release

9/26/19- Office/ Senator Flanagan Event

9/27- Phone call to department with follow up regarding Mandatory Rec at Mohawk

- -Eastern CF -Lack of staff and Yard Officers not equipped with OC spray in the tard
- -Ulster D.A prosecuting numerous contraband cases due to high volume of reception inmates from Rikers.

9/30/19- Office

10/1/19 Office

10/2/19 Office –Gas Dropped at Elmria CF Assault on Staff – Southport 10/3/19 Office

10/4/19 Elmria activated the TG guard for the messhall

Executive Vice-President-

9/13/19	Office
9/16/19	Office
9/17/19	Office
9/18/19	Office
9/19/19	Office / Statewide Charity Event
9/20/19	Office
9/23/19	Office / Clear Bag meeting with DOCCS
9/24/19	Office
9/25/19	Office

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9/26/19
         Office
9/27/19
         Office / Meeting with members from Greene CF
9/30/19
         Office
10/1/19
         Office / Auburn CF Tour
10/2/19
         Office
10/3/19
         Office
         Office / JLMC GOER / QWL / Tuition Reimbursement
10/4/19
10/7/19
         Office
10/8/19
         Office / Board Meeting
10/9/19 Office / RRU Meeting
10/10/19 Office
10/11/19 Office / Charity Event Charlies Warriors
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Member Concerns: Clear bag / Article 15 Retirements / mandating/sticks/staffing/tuition reimbursements/ QWL funds/ ISO overtime

Treasurer's Report-

Total Cash \$11.68 million Rainy Day \$760 thousand Legal Defense \$2.67 million Unrestricted Bond \$5.98 million Restricted Bond \$1.75 million General Operations \$2.07 million PAC Fund \$197 thousand

Regional Vice-President's Reports

Law Enforcement Report:

- To date, we have not received an update or direction from GOER on the Retroactive Payment Chart with names of those that reported to NYSCOPBA that they did not receive payment. Chart was sent to GOER on September 6, 2019. This is the 4th and latest list sent. Going forward, names will be sent on case by case basis after resolution to issues outlined in chart are resolved.
- Contractual language implemented effective February 19, 2019. Still working with agencies to update seniority lists. Having some issues with response from some agencies.
- Very close to approved language for contract book draft.
- Law Enforcement Legislative Agenda was pushed but held up due to issues with NYS Legislature not willing to entertain our bills this session. The focus was on the contract and payment of contract. Preparing the Fall 2019 and Spring 2020 Agenda.

- 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.
- 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.
- OMH Statewide LMM to be scheduled. Awaiting dates from OMH.
- Retiree Committee: Looking into Davis vision all-inclusive plans, same for dental. Policy changes to reflect Honorary Member issues addressed by Norvest and Committee. Meeting with Norvest to discuss proposed rates TBD.
- Have reached tentative understanding of MOU with SUNY Downstate about parking. MOU in hands of attorneys for language approval.
- OPWDD Statewide LMM held on September 16, 2019. Received minutes from last meeting.
- Dept. of Labor issues with involuntary moving of members.
- Met with Kirby/ Manhattan PC on consolidation of Kirby and Manhattan PC Safety Departments.
- Continuing to meet with OMH concerning the Kirby PC Capital Project. Walk through scheduled for November 7, 2019.
- Meetings in NYC with PEF about Kirby PC Capital Project.
- Visited Staten Island DDSO to discuss issues with members.
- Will be addressing issues at Creedmoor PC Safety with OMH.
- Stewards training scheduled for LE December 4 & 5, 2019.
- Union meeting for State Police members on October 19, 2019
- Working on resolutions to several IPs.
- Filing litigation for out of title work at Rochester PC concerning SHTAs and SSOs.
- Veterans committee updates: Trip will be every other year. October 23, 2019
 NYSCOPBA sponsored Veteran's night at Utica Aud for Utica College Hockey. 100% of proceeds will go to Feed the Vets and Equine Veterans Rehab Program. Next meeting in November.
- Collective Bargaining Committee will first meet in Early 2020.

Southern Region Report:

9/3/19- Yonkers Office

9/4/19- Yonkers Office

9/10/19- Yonkers Office to Syracuse for E A

9/11/19- Syracuse E A

9/12/19- Syracuse to Yonkers Office

9/13/19- Yonkers Office

9/16/19- SSCF Visit to Yonkers Office

9/17/19- 102 Hackett Blvd then 54 State street

- 9/18/19- Yonkers Office
- 9/19/19- BHCF Facility Visit
- 9/23/19- Yonkers Office
- 9/24/19 54 State Street for Arb prep
- 9/25/19- Yonkers Office
- 9/26/19- 54 State Street for Arb Prep
- 9/27/19- Arb hearing in Tarrytown
- 9/30/19- Yonkers Office to TCF visit
- Settlements- 12
- Suspensions- 2
- Grievances-1
- NOD 7
- Arbitrations- 1
- Separation of Service 4

Western Region Report:

- 9.10.19 = Executive Board
- 9.11.19 = Executive Assembly
- 9.12.19 = Office
- 9.13.19 = Office, Q&As (3) Five Points Albany, Attica Memorial
- 9.16.19 = Office, Arb Gowanda-Buffalo
- 9.17.19 = Q&As Auburn & Cayuga Utica, Step 2's Albion, Orleans, Gowanda
- 9.18.19 = Office, Q&As Wende- Wende
- 9.19.19 = Office, Q&A Wyoming-Wende
- 9.20.19 = Office
- 9.23.19 = Q&As Five Points Utica, Calling Hours LEVP Father
- 9.24.19 = Office, Q&A's Elmira-Wende
- 9.25.19 = Office, Cayuga EAP Day

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9.26.19 = Q&A Gowanda-Wende, Q&A Gowanda-Albany
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9.30.19 = Rogers Funeral Wyoming—Attica

10.1.19 = Tour Auburn with Assemblyman. & Senators

10.2.19 = Office, Arb. Groveland-Batavia

10.3.19 = Office, Tour Elmira with Senator

10.4.19 = Office

Suspended = 29 Adm. = 1 NOD's =53 Rainy Day = 5

Central Region Report:

09/13/19 – Central region office hours – Attend Attica memorial and tour facility.

09/16/19 – Central region office hours

09/17/19 – Central region office hours – Range training with CRBA / OSI Q&A at Utica SOB, Mohawk

09/18/19 – Central region office hours

09/19/19 – Central region office hours

09/20/19 – Central region office hours

9/23/19 – Central region office hours

09/24/19 – Central region office hours

09/25/19 – Central region office hours

09/26/19 – Central region office hours

09/27/19 – Central region office hours

09/30/19 – Central region office hours

10/01/19 – Central region office hours / Attend Mid-State CF Sector meeting 7AM-3PM-11PM

10/02/19 – Central region office hours / Tour Gouverneur CF – Attend 3PM sector meeting

10/03/19 – Central region office hours / OSI Q&A at Utica SOB, Marcy CF

10/04/19 – Central region office hours

10/07/19 – Central region office hours

10/08/19 – Central region office hours / NYSCOPBA Executive Board meeting Albany HQ. Mohawk and

Marcy sector meetings, 7AM-3PM-11PM

Of note: Watertown member arrested and resigned due to nature of arrest. Marcy officers allegedly accused of misconduct on outside hospital trip (appearance of sleeping) with one of the officers noted as "probationary" – to date, no NOD filed, currently suspended with pay. Cape Vincent officers still locked out over accusations of misconduct during staff trip. Mohawk officer still locked out due to inmate complaints of improper conduct at shift change. Mohawk officer suspension settlement due to arrest in New Jersey charges being reduced and/or dropped, will return to duty on 10/14. Mid-State officers still locked out due to OSI investigation after inmate died of natural causes, review of video revealed misconduct, four (4) officers locked out.

Mid-Hudson Region Report:

Northern Region Report:

Altona-issues on a stick policy, pluming issues on hold with facility

Upstate- New rec pens up and running, issues with closing posts, officers placed back to work, site visit

Bare Hill- 1 nod in arb selection, midnight post possibly closing

Franklin- Darwin still being Darwin

Riverview- nod settled and working

Ogdensburg- ot still unusual for the facility, new css

ATA- still running full, eiu and some other areas attending local meetings

Washington- 2 locked out 1 settled and back working another in appeal waiting on a decision

Great Meadow-officer exposed to fentynil, site visit with Dan Stec Assemblyman, tablets issued

Adirondack- new Law as of October 1 took effect, same issues with kids

Moriah- working on a nod settlement,

Clinton- package room busts still high, visitor arrests, tablets, sgt cut with a razor blade on neck by inmate, officer also cut or bit in same incident

Rainy Day Fund- 0

Elections are hopefully done this week locally

Arrest suspensions are high, seems DOCCS trying to boost numbers

Package rooms need help, drug trade seems high

Unfinished Business: None

New Business:

- D. Witherspoon - compelled DNA case

- T. Jennings Article 78 decision
- -Active shooter policy and course of action to be taken at facilities. Department has no such P&P
- -RDF change to include Members that have been returned to payroll by an Arbitrator, yet the Department refuses to return them to payroll status. Department utilizing excuse that "Legal Counsel is Reviewing" the case. Some are exceeding several weeks. We may want to also discuss off duty incidentscases dismissed or completed...department drags out 2 or 3 weeks and then offers time served.
- -Off duty Weapons restriction. Department taking years to restore privileges. OSI not closing cases in a timely manner even though no charges filed against a Member. If a Settlement is reached over an NOD then why is it necessary to continue weapons restriction even after Sanction has been completed.
- -PANE is requesting the use of NYSCOPBA's tele-commutations system in the back conference room, and at the regional offices
- -Joel Douglas
- T. Dunson Section 71 Termination
- Workers Comp Proposed Changes

Motions:

Rainy Day Fund Applications –A. Harricharan, U. Deleon, R. Dafoe, A. Amoros, P. Ott, J. Alvarez, M. Bellinger, T. Downs, L. Benjamin, A. Cartwright, K. Payton, K. Scott, L. Saunders, P. Norde, C. Wyckoff –(See attached motions)

Honorary Retiree Chapter Applications- G. Cerasani, J. Tennant, J Litz (See attached motions)

Legal Defense Fund- D. McClenning –(See attached motions)

Chris Summers Recording Secretary

To file an Article 78 on			
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Motion Seconded by:			
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Date:	October 8,	2019	

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Date: October 8, 2019

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Date:	October 8, 2019	

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Date: October 8, 2019

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Date: October 8, 2019

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Motion:	
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Date:	October 8, 2019	
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	YES	NO			YES	NO
Powers				Mazzella	1	
Sawchuk	/			Miano		
Summers	/			Luther		
Gilbo	/			Roberts	1	
Carpenter	/			Harmon	1	

Mot	ion:						
To a	pprove the	Hone	orary	Re	tiree Chapt	ter appl	lication
	J. Litz						
	. 2102						
-							
M = 1							
-			- 1 3				
2				-			
Moti	on Made by	v:	1	Exe	cutive Boar	rd	
	on Seconde		-				
141011	ion secondi	ca by.					
		D C	. 1				
Moti	on Passed/	Defea	ted:	UN	NANIMOUS		
		YES	NO			YES	NO
	Powers				Mazzella	1	
	Sawchuk				Miano		
	Summers	/			Luther	1	
	Gilbo	1			Roberts	1	
	Carpenter				Harmon	/	

Motion:						
To approve the	e Hon	orary	Ret	iree Chapt	er app	lication
For J. Tennant						
		- 4				
in a						
	By Sir					
Motion Made b	y:		Exec	cutive Boar	d	
Motion Second	led by					
Motion Passed	Defea	ted:	UN	IANIMOUS		
	YES	NO			YES	NO
Powers				Mazzella	V	
Sawchuk				Miano	/	THE KINDS

	YES	NO		YES	NO
Powers			Mazzella	V	
Sawchuk	/		Miano	/	
Summers	V		Luther	/	
Gilbo	V		Roberts	1	
Carpenter	V		Harmon	V	

Motion:							
To approve the Lega	al Def	ense	Fund	appl	icatio	n for	
D. McClenning.							
		- 15					
	- 7				4		ASP.
		7117					
						77	
						WAY !	
		-					
	-			* 1			
Motion Made by:	Ī	Execu	itive B	oard			
Motion Seconded by:							
					1		
Motion Passed/Defea	ted:	UNA	ANIMO	US			
YES	NO	Γ			YES	NO]
		-					-

	YES	NO
Powers		
Sawchuk	~	
Summers	~	
Gilbo	V,	
Carpenter		

	YES	NO
Mazzella	1	
Miano	/	
Luther	V	
Roberts	1	
Harmon	V	