

## **EXECUTIVE BOARD MINUTES**

**Date:** September 10, 2019 Meeting called to order 9:20am

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

**Attorney:** Erin Parker– LMWF

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

**Minutes:** minutes sent via email for approval on September 6, 2019 attached to this agenda.

### **Directive Changes:**

9202	9305	8400
9206	2602	2601
2121	3096	8500
4009	4002	9450
6923	2218	4069
4059	4058	0096

**Next meeting:** October 08, 2019

**Correspondence:** None

### **President's Report–**

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

8/14/19 Office

8/15/19 Office

8/19/19 Office

8/20/19 Travel to Plattsburg  
8/20/19 Clinton Employee Day  
8/21/19 Travel to Albany  
8/22/19 WFH  
8/23/19 Office / Meeting with Jay Girvin  
8/26/19 Office  
8/27/19 Office / Meeting with DOCCS ATA  
8/28/19 Office  
8/29/19 Office  
9/9/19 Office / Travel to Syracuse  
9/10/19 Board Meeting  
9/11/19 EA  
9/12/19 EA

Member Concern's : Clear bag / Staffing / Contract Books / QWL Funds / Steward Elections / Religious Accommodation (Beards)

**Treasurer's Report-**

12.01m

752,000 RDF

2.68 Legal Defense

5.98 Unrestricted Bond

1.75 Restricted Bond

2.41 Gen. Op

187 PAC fund

**Regional Vice-President's Reports**

**Law Enforcement Report:**

**Southern Region Report:**

8/1/19 – Yonkers Office

8/5/09 – Legislative tour at BHCF and SSCF

8/6/19 – Yonkers Office

8/7/19- Hackett Blvd and 54 State Street Albany

8/8/19- Yonkers Office  
8/9/19- Yonkers Office  
8/12/19- 2 Legislative tours of TCF and BHCF  
8/13/19- Albany E board meeting  
8/14/19- ATA for Q&A  
8/15/19- Legislative tour at SSCF  
8/16/19- Yonkers Office  
8/19/19- BHCF for Day 2 of Arbitration  
8/20/19- Yonkers Office  
8/21/19- Yonkers Office Regional CSS meeting  
8/22/19- BHCF Legislative tour  
8/23/19- 102 Hackett meeting  
8/26/19- Yonkers Office  
8/27/19ATA Meeting w/ DOCCS  
8/28/19- 2 Legislative tours at SSCF  
8/29/19- Lincoln for Union equipment to Yonkers

Settlements- 8

Suspensions- 7

Grievances- 1

Q&A- 1

Arbitrations- 1

Separation of Service -

**Western Region Report:**

8.12.19 = Office, Arb. Attica- Attica

8.13.19 = Office, Q&As (3) Lakeview-Wende

8.14.19 = Office

8.15.19 = Q&As (2) Wyoming-Wende, Q&As Five Points — Utica

8.16.19 = Q&As Five Points — Utica

8.17.19 = Wyoming Event - Alden  
8.19.19 = Office, Ex Arb. Five Points — Waterloo  
8.20.19 = Office, Arb. Attica-Buffalo, Step 2s Groveland  
8.21.19 = Office, Step 2s Collins  
8.22.19 = Office, Arb. Preps (2)  
8.23.19 = Office, Mtg. With Member Orleans  
8.26.19 = Travel (Albany), Arb. Gowanda-Buffalo, Sen Funke Event  
8.27.19 = Mtg. W DOCCS, Arb. Orleans-Buffalo, Office  
8.28.19 = Office, RACC Event  
8.29.19 = Office, WR Mtg.  
8.30.19 = Office  
9.3.19 = Office, Arb. Orleans-Buffalo  
9.4.19 = Office  
9.5.19 = Office  
9.6.19 = Tyson Calling Hours Collins-Buffalo  
Suspended = 18 Adm. = 8 NOD's = 40 Rainy Day = 4

### **Central Region Report:**

08/14/19 – Central Region office hours  
08/15/19 – Central Region office hours / Exec. Board mtg at Lippes/Mathias Albany offices  
08/16/19 – Central Region office hours / OSI Q&A Utica NY S.O. Bldg X3 Mohawk CF  
  
08/19/19 – Central Region office hours / Exec. Board mtg at Lippes/Mathias Albany offices  
08/20/19 – Central Region office hours  
08/21/19 – Central Region office hours  
08/22/19 – Central Region office hours / CRVP day off

08/23/19 – Central Region office hours / Exec. Board tele-conf. with Lippes/Mathias

08/24/19 – CRBA participates in “Ride for Joe” charity event. Central Region a sponsor of event.

08/26/19 – Central Region office hours

08/27/19 – Central Region office hours

08/28/19 – Central Region office hours

08/29/19 – Central Region office hours / Exec. Board tele-conf. with Lippes/Mathias

08/30/19 – Central Region office hours

09/02/19 – Central Region offices closed due to holiday observance

09/03/19 – Central Region office hours / Attend Midstate 7A-3P-11P membership meetings

OSI Q&A Utica NY S.O. Bldg. X3 Cape Vincent CF

09/04/19 – Central Region office hours / Exec. Board tele-conf. with Lippes/Mathias

09/05/19 – Central Region office hours / Attend Cape Vincent 3PM membership meeting

09/06/19 – Central Region office hours

09/09/19 – Central Region office hours

09/10/19 – Central Region office hours / CRVP to Syracuse NY Exec. Board mtg. @ Doubletree Inn

Mohawk and Marcy membership mtgs 7A-3P-11P

09/11/19 – Syracuse NY Doubletree Inn, Sept. NYSCOPBA Exec. Assy meeting Day #1

09/12/19 – Syracuse NY Doubletree Inn, Sept. NYSCOPBA Exec. Assy meeting Day #2

Of note: We still have four officers locked out over issues with actions discovered during review of inmate death in Midstate S-Block, the sergeant on admin. leave has been returned and is still on duty pending any possible discipline. Mohawk officer currently on admin. leave due to multiple complaints filed by inmates on dorm alleging verbal misconduct, OSI Q&A completed / investigation continues. Recently, two officers were locked out at Cape Vincent due to allegation of misconduct while on outside trip for staff being brought to hospital for care. OSI Q&A completed / investigation continues.

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

08/14/2019 - Toured Wallkill CF with NYS Assemblyman Miller  
08/15/2019 - Meeting at LMW&F  
08/16/2019 - MHRO  
08/19/2019 - MHRO  
08/20/2019 - MHRO  
08/27/2019 - Meeting with DOCCS at ATA  
09/01/2019 - Mid-Hudson Night of Unity at Dutchess Stadium  
09/02/2019 - Labor Day  
09/03/2019 - MHRO  
09/04/2019 - Meeting with Ulster County District Attorney  
09/05/2019 - Disciplinary Arbitration  
09/06/2019 - Disciplinary Arbitration  
09/09/2019 - Travel to Syracuse  
09/10/2019 - Executive Board Meeting

Coxsackie - RMHU opened and is running slowly

Downstate - Reported staffing issues. Sgt's being stuck on their RDO's

Eastern - Reported staffing issues. Reported that OC Spray needs to be issued to more Officers, especially the yard Officers.

Fishkill - 4 hour Pre-Approved sick slips are being regularly denied. Officers were reportedly sent home for not being clean shaven when reporting to duty.

Green Haven - Reported staffing issues still exist, Sgt RDO sticks are still occurring, still having issues with time-keeping, Pre-Approved sick slips are being denied and reported their first issue with body cams.

Greene - Reported issues with Pre-Approved Sick slips being denied still. Looking for an SOP on body cams. Possible Fentanyl exposure in the package room.

Ulster - Still having issues with contraband being found on incoming inmates from Rikers

Wallkill - Reported staffing issues especially on the housing units since being upgraded to Medium A. The units are not set up as typical medium facilities are and they need a 2nd Officer on the units.

Woodbourne - Reported lead in the water.

Mid-Hudson Night of Unity at Dutchess Stadium had about 50 attendees. It will most likely be the last one there and I will attempt to come up with a different idea for next year.

The Regional BA has been kept pretty busy with Q&A's over the last few weeks.

### **Northern Region Report:**

Ata: still running full, rumors of shutdown possibly in Feb coming out of the academy.

Washington: received two new vans a day or two after a step 2, violence between inmates on the rise, site visit

Great Meadow: inmate attempted escape, staffing, uis

Adirondack: Site visit, issues with time cuts for the “kids” ,incentive program for the kids is starting to backfire

Moriah: issues with admin, starting new labor management meeting policy.

Clinton: packages with large amounts of drugs, staffing shortage, fights, tablets coming this week, facility bob site visit

Altona: issue with plumbing in the basement and officers having to work in sewage

Up state: new rec pens open, staffing needed for new rec jobs, tablets half up, site visit, two locked out(one placed back)

Bare Hill: nod settled and back, 1 nod heading to Arb

Franklin: ebf set up, labor management starting a little bit better Sept 10 is next meetings

Riverview: site visit, nod settled and working

Ogdensburg: nod locked out, lot of ot for the facility,

**Unfinished Business:** None

**New Business:**

-PANE- The ballot's send out. The ballots will be counted on the 20<sup>th</sup>

-Clear bag update- at this time there is no date

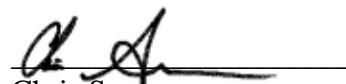
- Contract book update- At GOER, at this time of changes on the wording
  - Litigation on safe work environment we need very detailed information to file
  - Update on Article 15- the list has been sent to GOER on Friday the 6<sup>th</sup>. GOER is going through the list one by one checking every name.
  - Harrell v. NYSDOCCS, MTD GRANTED- NYSCOPBA was removed from the decision.
  - AFLAC- Has been allowed back in the Academy and all the Facilities
  - To close grievance CON 13-0243, (See motion attached)
  - To close grievance CON 15-0014, (See motion attached)
  - To close grievance CON 15-0344, (See motion attached)
  - To close grievance CON 12-0350, (See motion attached)
  - To close grievance CON 12-0351, (See motion attached)
  - To close grievance CON 12-0551, (See motion attached)
- Update - Civil Service Exam fee IP - State's appeal
- Chris Moore would like us to revisit filing an article 78 on the IP that we lost regarding being sent back from the Academy as retribution for his union activity.

**Motions:**

Rainy Day Fund Applications – T. Kleotzer, B. Travis, T. Montague, J. Steger, N. Harvey, M. Martinez, C. Jannierre (See motion's attached)

Honorary Retiree Chapter Applications- None

Legal Defense Fund- K. Mc Donald (See motion attached)



Chris Summers  
Recording Secretary

# MOTION SHEET

Motion:

Move to proceed to challenge the petition filed by  
PANE at the NLRB on August 9, 2019.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by:

John Harmon

Motion Seconded by:

Tammy Sawchuk

Motion Passed/Defeated: 5 to 3

	YES	NO
<b>Powers</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> Via Phone)	
<b>Miano</b>	<b>X</b> (Via Phone)	
<b>Luther</b>	Excused	
<b>Roberts</b>		<b>X</b> (Via Phone)
<b>Harmon</b>	<b>X</b>	

Date: August 20, 2019

# MOTION SHEET

Motion:

To close Grievance CON 13-0243

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

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

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To close Grievance CON 15-0014

---

---

---

---

---

---

---

---

---

---

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed/~~Defeated~~:

**UNANIMOUS**

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

	YES	NO
<b>Mazzella</b>	.	
<b>Miano</b>	✓	
<b>Luther</b>	EXCUSED	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: September 10, 2019

# MOTION SHEET

Motion:

To close Grievance CON 15-0344

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated

UNANIMOUS

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To close Grievance CON 12-0350

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To close Grievance CON 12-0351

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed / ~~Defeated~~: UNANIMOUS

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

	YES	NO
<b>Mazzella</b>	✓	
<b>Miano</b>	✓	
<b>Luther</b>	<i>EXCUSED</i>	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: September 10, 2019

# MOTION SHEET

Motion:

To close Grievance CON 12-0551

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

**UNANIMOUS**

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

	YES	NO
<b>Mazzella</b>	✓	
<b>Miano</b>	✓	
<b>Luther</b>	EXCUSED	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: September 10, 2019

# MOTION SHEET

Motion:

To File AN Article 78 proceeding on the  
behalf for CO Narducci  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed / Defeated:

**UNANIMOUS**

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

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application  
for M. Martinez

Motion Made by: Executive Board

Motion Seconded by: \_\_\_\_\_

Motion Passed / Defeated: **UNANIMOUS**

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: September 10, 2019

# MOTION SHEET

Motion:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed/Defeated:

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella		
Miano		
Luther	Excused	
Roberts		
Harmon		

*Settled Did not meet the criteria*

Date: September 10, 2019

# MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed~~/Defeated:

--- 7 TO 1 ---

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo		✓
Carpenter	✓	

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

Date: September 10, 2019

# MOTION SHEET

Motion:

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

---

---

---

---

---

---

---

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion Passed/Defeated:

**UNANIMOUS**

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella		
Miano		
Luther	Excused	
Roberts		
Harmon		

*Did not meet the Criteria*

Date: September 10, 2019

# MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion <sup>?</sup>~~Passed~~/Defeated:

7 TO 1

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

	YES	NO
<b>Mazzella</b>	✓	
<b>Miano</b>	✓	
<b>Luther</b>	EXCUSED	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: September 10, 2019

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
N. Harvey.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion ~~Passed~~/Defeated:

**UNANIMOUS**

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

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To approve the Rainy Day Fund application for  
M. Martinez.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Motion Made by:

Executive Board

Motion Seconded by:

\_\_\_\_\_

Motion (Passed) ~~Defeated~~:

**UNANIMOUS**

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

	YES	NO
<b>Mazzella</b>	✓	
<b>Miano</b>	✓	
<b>Luther</b>	EXCUSED	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

Date: September 10, 2019

# MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: September 10, 2019

# MOTION SHEET

Motion:

To approve the Legal Defense Fund application for  
K. McDonald.

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed/Defeated~~:

**UNANIMOUS**

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

	YES	NO
<b>Mazzella</b>	✓	
<b>Miano</b>	✓	
<b>Luther</b>	EXCUSED	
<b>Roberts</b>	✓	
<b>Harmon</b>	✓	

118

Date: September 10, 2019