

## **EXECUTIVE BOARD MINUTES**

**Date:** December 10, 2019 Meeting called to order at 9:29 am

**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 (Via phone)  
Mark DeBurgomaster, VP Western  
Dave Luther, VP Southern  
John Roberts, VP Northern  
John Harmon, VP LE

**Attorney:** Larry Schaefer – LMWF

**Guests:** Keith Jacques – LMWF, Greg Meyers-LMWF

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

### **Directive Changes:**

2224	4401
2221	4200
8450	2713
8306	0410
8360	9435
4081	

**Next meeting:** January 15, 2020

**Correspondence:** None

### **President's Report–**

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

11/20 Office / Adopt a Family senior lunch / LM agenda sent DC Enwright  
11/21 Office / Union Leave Bills Updated / Requested information from GOER on  
EAP Advisory Board / BedFord concerns regarding the closure of Mount  
Vernon Hospital

11/22 Office / Issues with retiree bonus days  
 11/23 Office / email to Shipley on behalf of retire / Greene -issues regarding Sgt not  
 Receiving pay  
 11/25 Office  
 11/26 Office / Issues with clear bag replacement  
 11/27 Office  
 11/28 Office closed Holiday  
 11/29 Office closed / WFH  
 11/30 Office  
 12/2 Office closed "state of emergency" WFH  
 12/3 WFH / AWOM regarding Amicus Brief / Beards  
 12/4 Travel / PEC Conference  
 12/5 Conference Registration  
 12/6 Conference  
 12/7 Conference  
 12/8 Conference  
 12/9 Travel back to Albany  
 12/10 Board Meeting

\*Clear bag replacement issues / Article 15 updates / Beards / Staffing

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

Total Cash 15.54 million  
 Rainy Day 706 thousand  
 Legal Defense 2.62 million  
 Unrestricted Bond 5.98 million  
 Restricted Bond 1.75 million  
 Gen Op 6.01 million/ 4 million will be reinvested back into bonds  
 PAC Fund 219 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. Going forward, names will be sent on case by case basis after resolution to issues outlined in chart are resolved.
- Contract language is complete and digital contract is online. Books being printed.
- 2020 Legislative, Administrative and Political LE Agenda is complete and will be sent to Lobbyist, Legislative Counsel and Law Firm.
- 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 LMM held on November 25, 2019. Finishing notes on meeting and awaiting date for official LMM in early 2020.
- Retiree Committee: Committee decided that due to cost of benefits that enhancing current benefits was decision. \$100 Vision Reimbursement for member/dependents. \$100 Dental reimbursement for member.
- SUNY Downstate Medical Parking MOU signed and implemented.
- Met with Kirby/ Manhattan PC on consolidation of Kirby and Manhattan PC Safety Departments. List of issues sent to OMH. OMH agreed to delay opening until Jan. 2020.
- Stewards training completed for LE December 4 & 5, 2019.
- Union meeting for State Police members was on October 19, 2019. Final draft of OT MOU sent to State Police. Awaiting State Police review for signing.
- 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. November 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. Awaiting date for checks to be delivered.
- Collective Bargaining Committee will meet Dec 2019 EA.
- OT MOU for Elmira PC finalized and members reviewing for vote.
- Met with members at SUNY Optometry,
- QWL grant monies issues with SUNY. Administrations are applying for grant money without member input or surveying.

### **Southern Region Report:**

11/1/19- Yonkers Office

11/5/19- Yonkers Office

11/6/19- Yonkers Office

11/7/19- ATA Q &A x3

11/8/19- ATA Q & A

11/12/19- Yonkers Office

11/13/19- SSCF Visit to Yonkers Office

11/14/19 – ATA Q&A x3

11/15/19- Yonkers Office

11/18/19- Regional Stewards Training

11/19/19- E Board meeting Albany

11/20/19- ATA Q&A

11/21/19- BHCF Site visit

11/25/19 – BHCF and TCF Suicide Prevention materials

11/26/19 – Yonkers Office

11/27/19 – Yonkers Office

Settlements- 2

Suspensions- 0

Grievances- 4

NOD - 3

Separation of Service - 3

**Western Region Report:  
November —**

11th Working / Training in Regional Office

12<sup>th</sup> Working / Training in Regional Office

13<sup>th</sup> Working / Training in Regional Office

14<sup>th</sup> Working / Training in Regional Office

15<sup>th</sup> Attend Senator Helming Press Conference / Q & A's in Buffalo for (3) Wende & (1) Wyoming

18<sup>th</sup> Attica Site Visit / Travel to Albany for E-Board Meeting

19<sup>th</sup> Albany E-Board Meeting / WDTC ARB

20<sup>th</sup> Working / Training in Regional Office / WDTC ARB

21<sup>st</sup> Working / Training in Regional Office

22<sup>nd</sup> Working / Training in Regional Office

25<sup>th</sup> Working / Training in Regional Office

26<sup>th</sup> Working / Training in Regional Office

27<sup>th</sup> Q & A's in Utica for (4) Elmira Officers

28<sup>th</sup> Holiday Office Closed

29<sup>th</sup> Holiday Office Closed

**December —**

2<sup>nd</sup> Working in Regional Office / Q & A in Buffalo for (1) Groveland

3<sup>rd</sup> Working in Regional Office

4<sup>th</sup> Working in Regional Office / ARB prep

5<sup>th</sup> ARB in Buffalo / Q & A in Utica for (1) Elmira, Q & A in Buffalo (1) Attica / (1) Albion  
IME

Suspended = 26      Adm. = 8      NODs = 45      Rainy Day = 14

**Central Region Report:**

11/20/19 – Central Region office hours – CRVP out of office

11/21/19 – Central Region office hours

11/22/19 – Central Region office hours

11/25/19 – Central Region office hours

11/26/19 – Central Region office hours

11/27/19 – Central Region office hours

11/28-29/19 – Office closed for Thanksgiving holiday

12/02/19 – Central Region office hours

12/03/19 – Central Region office hours / Regional Stewards meeting Boondocks rest. Lyons  
Falls NY

12/04/19 – Central Region office hours / Mid-state Sector meetings 7A-3P-11P

12/05/19 – Central Region office hours / submitted resignation effective 12/15/19 due to promotion

12/06/19 – Central Region office hours

12/09/19 – Central Region office hours

12/10/19 – Central Region office hours / CRVP to NYSCOPBA Albany HQ for EB meeting

12/11-12/19 – NYSCOPBA Executive Assembly meeting @ Desmond Hotel Albany NY

12/13/19 – Central Region office hours

Of note: Marcy officers accused of misconduct on outside hospital trip (appearance of sleeping) with one of the officers noted as “probationary” – Officer #1 is returned to duty due to settlement acceptance. Cape Vincent officers still locked out over accusations of misconduct during staff trip. Mohawk officer locked out due to inmate complaints of improper conduct at shift change returned to work. Mid-State officers still locked out due to OSI investigation after inmate died of natural causes, review of video revealed misconduct. Hale Creek officer locked out due to appearance of punching an inmate on video at outside hospital trip (video filed by ex-con and posted to social media. Suspension review completed and was denied.

This will be my last report as Central Region VP as I have accepted promotion to Corrections Lieutenant and will be reporting to Mid-State CF on 12/16/19. It has been an honor and pleasure serving the members of NYSCOPBA and serving with the best Executive Board elected to office. I want to thank you all for assisting me in my tenure of office and wish you nothing but the best in your future endeavors

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

11-20-2019 MHRO

11-21-2019 MHRO

11-22-2019 Disciplinary Arbitration

11-25-2019 Step 2's at Coxsackie

11-26-2019 Meeting with BLR at Building 9

11-27-2019 MHRO

11-29-2019 MHRO

12-02-2019 MHRO

12-03-2019 Regional Meeting

12-04-2019 AVC

12-05-2019 AVC

12-06-2019 AVC

12-09-2019 AVC

12-10-2019 Executive Board Meeting from remote location

Beginning to receive stats on inoperable body cams.

Green Haven has 40 cameras that are completely inoperable, 9 cameras that the power button works but may have other issues, and 28 cameras with broken mounting clips.

Fishkill has also reported body camera issues as well.

Facility time keeper is way behind again at Green Haven. I have sent Darren Ayotte an email on 11-13-2019 and received a response that they are working on a plan and should have one by Friday. Multiple assaults on staff in the last couple of weeks.

Greene CF reports that they are severely and dangerously understaffed.

Coxsackie had an assault on staff. They have also reported that the administration directed Officer to leave the facility and return home because they weren't clean shaven. They were charged vacation accruals for the time it took to return to the facility. It was my understanding that if Officers reported to work and were not clean shaven, they were directed to shave before reporting to the next scheduled day of work. If they reported again and were not clean shaven, then the department would take disciplinary action. I do not believe that these Officer were spoken to by a Supervisor on any day prior to being sent home.

Shawangunk has a serious assault on staff where two Officers were bitten by an inmate

### **Northern Region Report:**

11-19-19 board Meeting

11-20-19 wfh

11-21-19 make a wish kickoff event

11-22-19 Albany office, ATA, Q&A's

11-25-19 ATA Q&, Albany

11-26-19 Albany office, ATA

12-2-19 Clinton Meetings

12-3-19 Arb prep

12-4-19 Arbitration, Regional meeting

12-5-19 meeting with vendor

12-6-19 Albany Q&A x2

12-9-19 Malone Jeco PR

12-10-19 ballot count, board meeting

Mediums having larger scale fights

Upstate- 2 serious assaults of staff in 2 days

Great Meadow- 1 member locked out and signed a settlement (on duty)

Franklin- Sgt time off should be settled, 12-10-19 meeting

All other jail reporting same issues that have been going on, tablets, staff ect

**Unfinished Business:**

-A director of Social Media or Social Media Associate- From last board meeting on November 19, 2019. Which was put off until January 15, 2020 board meeting.

- The Duties of Board Members under the Not-for-Profit Corporation Law- went over

**New Business:**

-DOCCS has rejected our clear bag proposal. They have agreed to a larger bag, but have limited it to a particular manufacturer, model #, and supplier- Letter will be sent out to Valforte and will discuss will Martuscello

-Office snow removal- Will look into contracting someone to do snow removal for next winter season.

-To close grievance CON 15-0496- Closed (See Motion attached)

- To close grievance CON 18-0016- Closed (See Motion attached)

-To close grievance CON 12-0275 Closed (See Motion attached)

**Motions:**

Rainy Day Fund Applications –M. Goracy, M. Sabo, D. Hayes (See Motion attached)

Honorary Retiree Chapter Applications- None at this time



Chris Summers  
Recording Secretary





# MOTION SHEET

Motion:

To close grievance CON 15-0496.

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Motion Made by:

Executive Board

Motion Seconded by:

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Motion Passed / Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	✓	
DeBurgomaster	✓	
Luther	✓	
Roberts	✓	
Harmon	✓	

Date: December 10, 2019

# MOTION SHEET

Motion:

To close grievance CON 18-0016

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Motion Made by:

Executive Board

Motion Seconded by:

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Motion Passed / Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	✓	
DeBurgomaster	✓	
Luther	✓	
Roberts	✓	
Harmon	✓	

Date: December 10, 2019

# MOTION SHEET

Motion:

To close grievance CON 12-0275

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Motion Made by:

Executive Board

Motion Seconded by:

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Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

	YES	NO
Mazzella	✓	
DeBurgomaster	✓	
Luther	✓	
Roberts	✓	
Harmon	✓	

Date: December 10, 2019



# MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Carpenter		✓

	YES	NO
Mazzella		✓
DeBurgomaster		✓
Luther		✓
Roberts		✓
Harmon		✓

Date: December 10, 2019

# **ACTION WITHOUT MEETING**

Proposed: Per Erin Parker's email on the Beard memo (See  
Attached email) to file an amicus brief on NYSCOPBA behalf.

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Proposal Made by:

Tammy Sawchuk

Action Result:

Passed

	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>DeBurgomaster</b>	x	
<b>Luther</b>	x	
<b>Roberts</b>	x	
<b>Harmon</b>	x	

Date: December 3, 2019

# **ACTION WITHOUT MEETING**

Proposed: To approve Bryan Hluska as the acting Central VP  
Starting December 16, 2019 and or approval of Union Leave by  
GOER.

Proposal Made by: Scott Carpenter  
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>DeBurgomaster</b>	x	
<b>Luther</b>	x	
<b>Roberts</b>	x	
<b>Harmon</b>	x	

Date: December 14, 2019



# MOTION SHEET

Motion:

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

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Motion Made by:

Executive Board

Motion Seconded by:

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Motion Passed/Defeated:

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella		
DeBurgomaster		
Luther		
Roberts		
Harmon		

Does NOT FALL UNDER Guidelines

Date: December 10, 2019