

EXECUTIVE BOARD MINUTES

Date: November 19, 2019 Meeting called to order 9:36am

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

Attorney: Erin Parker– LMWF

Guests: Bill Sellers- Sergeant Liaison, Keith Jacques – LMWF,
Mark DeBurgomaster

Minutes: minutes sent via email for approval sent out November 14, 2019 attached to this agenda.

Directive Changes:

2012	0082	2609	4065
0415	0061	4309	4004
0046	4004	8360	4003B
0044	8340	9390	2948
4320	4101		

Next meeting: December 10, 2019

Correspondence: None

President's Report–

-Dan Martuscello will be attending the EA in December

-

Executive Vice-President-

10/9	Office / RRU Meeting
10/10	Office
10/11	Office / Charity Event
10/14	Office Closed
10/15	Office
10/16	Office
10/17	Office
10/18	Office
10/20	Office / NEKF Charity Event
10/21	Office
10/22	Office / Meeting With the Desmond
10/23	Office / Meeting with Peter Gregory RBC
10/24	Office / Meeting ATA
10/25	Office
10/26	Office
10/29	Office
10/30	Office
10/31	Office
11/1	Office
11/15	PTSD Conference
11/16	PTSD Conference
11/17	Travel back from Conference
11/18	Office
11/19	Office / Board Meeting

Member Concerns: Mandatory overtime / Staffing / Clear bag exchange / Tuition reimbursement / QWL Renovations / Spelling errors in presidents message / Extension of current lieutenants list / SHU inmate phone calls / Closed posts

Treasurer's Report-

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.
- 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 LMM will be held on November 25, 2019.
- Retiree Committee: Looking into Davis vision all-inclusive plans, same for dental. Policy changes to reflect Honorary Member issues addressed by Norvest and Committee. Committee agreed to enhance current benefits for chapter.
- SUNY Downstate Medical Parking MOU signed and implemented.
- Met with Kirby/ Manhattan PC on consolidation of Kirby and Manhattan PC Safety Departments. Full Safety Department Rebid has been finished. Training on new bldg. continuing.
- Continuing to meet with OMH concerning the Kirby PC Capital Project. Walk through completed on November 7, 2019. List of issues sent to OMH.
- Visited Long 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 was on October 19, 2019. Final draft of OT MOU being sent to State Police.
- 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. Next meeting in November. Next meeting will be November
- Collective Bargaining Committee will first meet in Early 2020.
- Finalizing OT MOU for Elmira PC.
- Met with members at NYPI, SSO Southern Regional Meeting, CNYPC, Midhudson PC, Kirby PC.

- Attended and was guest speaker at Safety Officer Training Academy.

Southern Region Report:

10/1//19- Yonkers Office

10/2/19- Yonkers Office Regional Meeting

10/3/19- 54 State Street Albany for Arb Prep

10/4/19- Fishkill for Arbitration

10/7/19- Fishkill for Arbitration

10/8/19- Albany E Board meeting

10/9/19- Q-boro members meeting and Site visit

10/10/19 -Yonkers Office

10/11/19 -- Yonkers Office

10/15/19- SSCF and BHCF and Yonkers Office

10/16/19- Yonkers Office

10/17/19- 102 Hackett to JCB

10/18/19- Yonkers Office

10/19/19- Poughkeepsie for Wellness call then BHCF

10/21/19- Yonkers Office to BHCF

10/22/19- SSCF to Yonkers Office to Edgecombe L/M meeting to BHCF

10/23/19- SSCF Service Awards program

10/24/19- ATA Clear bag meeting

10/25/19- Fishkill Arbitration

10/28/19- Yonkers Office to BHCF

10/29/19- Officers Funeral in the Bronx

10/30/19- Yonkers Office

10/31/19- Yonkers Office

Settlements-9

Suspensions- 2

Grievances- 1

Arbitrations- 4

Separation of Service - 2

Western Region Report:

10.8.19 = E Board, Q&A Collins-Wende

10.9.19 = SHU Meeting

10.10.19 = Office, Assm. Event

10.11.19 = Arb. Prep Attica-East Aurora

10.15.19 = Office, Step 2s Gowanda

10.16.19 = Office, Q&A Wende-Wende

10.17.19 = Office, Step 2s Cayuga & Five Points

10.18.19 = Office, Arb. Attica-Buffalo

10.21.19 = Office

10.22.19 = Arb. Wende-Buffalo, Office

10.23.19 = Office, Site Visit Orleans, Q&As (3) 2 Five points 1 Cayuga-Utica

10.24.19 = Tour Lakeview with Senator Ryan

10.25.19 = Office

10.28.19 = Office

10.29.19 = Office, Step 2s Albion & Attica

10.30.19 = Office, Arb Gowanda-Buffalo

10.31.19 = Office, Arb Gowanda-Buffalo

11.1.19 = Office, Meeting with Member Batavia

11.4.19 = EHS North Tonawanda

11.5.19 = Office

11.6.19 = Office

11.7.19 = Office, WR Meeting

11.8.19 = Office

11.11.19 = Office, Travel (Albany)

11.12.19 = Office, Retirement Com.

11.13.19 = Office

11.14.19 = Office

11.15.19 = Press Conference With Senator Helming, 4 Q&As (3) Wende – Wende (1) Wyoming – Wende

11.18.19 = Office, Travel (Albany)

11.19.19 = E Board, Arb. Willard – Waterloo

Suspended = 25 Adm. = 3 NOD's = 46 Rainy Day = 13

Central Region Report:

10/09/19 – Central Region office hours

10/10/19 – Central Region office hours

10/11/19 – Central Region office hours

10/14/19 – Office closed for Columbus Day observance

10/15/19 – Central Region office hours

10/16/19 – Central Region office hours

10/17/19 – Central Region office hours

10/18/19 – Central Region office hours

10/21/19 – Central Region office hours / Albany NYSCOPBA HQ for meeting with BA

10/22/19 – Central Region office hours / BA to Syracuse ISO l/m mtg. Exec Brd. conference call

10/23/19 – Central Region office hours

10/24/19 – Central Region office hours / Clear bag mtg @ Albany DOCCS training academy.

10/25/19 – Central Region office hours / attend retired member funeral Utica NY

10/28/19 – Central Region office hours

10/29/19 – Central Region office hours / Tour Marcy CF with CSS and BA

10/30/19 – Central Region office hours / Tour Midstate and Mohawk CF with Senator Griffo and

Assemblywoman Buttenshon.

10/31/19 – Central Region office hours

11/01/19 – Central Region office hours

11/04/19 – Central Region office hours

11/05/19 – Central Region office hours / Election day

11/06/19 – Central Region office hours / Attend Midstate Sector meetings @ 7a-3p-11p

11/07/19 – Central Region office hours / BA to Albany with terminated probationary officer–exit intrv.

11/08/19 – Central Region office hours

11/11/19 – Office closed for Veterans Day observance

11/12/19 – Central Region Steward training at Mohawk QWL

11/13/19 – Central Region Steward training at Mohawk QWL

11/14/19 – Central Region Steward training at Watertown QWL

11/15/19 – Central Region office hours

11/18/19 – Central Region office hours – CRVP out of office

11/19/19 – Central Region office hours – CRVP out of office – tele-conference NYSCOPBA E.B. mtg.

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 locked out (RDF app) and Probie fired. 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. Midstate 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 pending.

Mid-Hudson Region Report:

10/09/2019 - SHU meeting at NYSCOPBA
10/16/2019 - Q&A Albany
10/21/2019 - Tour of Greene CF
10/24/2019 - Clear Lunch Bag Meeting at ATA
10/29/2019 - Disciplinary Arbitration
10/30/2019 - Disciplinary Arbitration
11/04/2019 - Disciplinary Arbitration
11/08/2019 - Q&A Albany
11/12/2019 - Disciplinary Arbitration
11/13/2019 - Step 2 Contract Grievance meetings at Fishkill CF and Downstate CF
11/14/2019 - Disciplinary Arbitration

Coxsackie - On 11/04/2019, an Officer was assaulted resulting in physical injuries to the officer consisting of a fractured orbital, fractured cheek bone and broken nose.

Green Haven - On 10/28/2019, an Officer was assaulted resulting in physical to the Officer that were consistent with being stabbed with an object. A Bic type pen with blood on it was recovered near the scene. The facility was locked down for 1 week following the incident.

Northern Region Report:

Altona-issues on a stick policy, officer given reasonable accommodations after a step 2

Upstate- New rec pens up and running, issues with closing posts, outside rec shack is being denied per the local

Bare Hill- 1 nod in arb selection, midnight post possibly closing, dorm k is being closed, officer head kicked in head

Franklin- Darwin still being Darwin, assault on staff and few drug busts

Riverview- nod settled and working, 1 non officer on non-contact

Ogdensburg- ot still unusual for the facility, new css, 1 arbitration being scheduled

ATA- still running full, eiu and some other areas attending local meetings, waiting on what's happening in 2020

Washington- won a suspension appeal officer back working, waiting on a step 2

Great Meadow-1 Sgt locked out, many rumors on FB about the facility and long term lock outs.

Adirondack- same issues with kids, hopefully the numbers will grow soon after the law has time to take effect

Moriah- working on better labor management meetings with the Superintendent

Clinton- assaults throwing drugs in packages, tons of OT

1 on RDF

Arrest suspensions are high, seems DOCCS trying to boost numbers

Package rooms need help, drug trade seems high, we need secure vendor especially with Holidays coming

Unfinished Business:

-Pain- re going to send dates to the board for a meet and greet

New Business:

-Peer training first quarter of 2020 to use the 13.1 monies for Cindy Goss and the department to do suicide prevention.

-A Director of Social Media or Social Media Associate

-Lobbyist

-Non-member policy

-Retiree Chapter update

-Yearly Contract renewal

- Independent Article- Articles due December 6, 2019

-Section 71 Termination S. Shipman (See attached Motion)

-Office phone coverage

- Close grievance CON 16-0005 (See attached Motion)

- Close grievance CON14-0405 (See attached Motion)

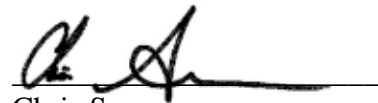
- Close grievance CON 15-0052 (See attached Motion)
- Close grievance CON 15-0201 (See attached Motion)
- Close grievance CON 15-0359 (See attached Motion)

Motions:

Rainy Day Fund Applications – R. Rugari, R. Vasko, R. Mehnert, N. Williams, J. Prosper (See attached Motion's)

Honorary Retiree Chapter Applications- D. Depew (See attached Motion)

Action Without A Meeting S .Groom, L. Stoy, M. DeBurgomaster (See attached motions)

A handwritten signature in black ink, appearing to read 'Chris Summers', written over a horizontal line.

Chris Summers
Recording Secretary

MOTION SHEET

Motion:

To file an Article 78 on the behalf of S. Shipman.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To close grievance CON 16-0005 ~~16-0157~~

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To close grievance CON 14-0405

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

^{7 to 1}
~~UNANIMOUS~~

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To close grievance CON 15-0052

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To close grievance CON 15-0201

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To close grievance CON 15-0359

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To file an appeal on the Article 78 decision
on the behalf for S. Morales.

Motion Made by: Executive Board

Motion Seconded by: _____

Motion Passed/Defeated: **UNANIMOUS**

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
J. Schwarzenholzer

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated

~~UNANIMOUS~~ 5 to 3

	YES	NO
Powers		
Sawchuk		✓
Summers		
Gilbo		✓
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Carpenter		

	YES	NO
Mazzella		
Miano		
Luther		
Roberts		
Harmon		

Does fall under guidelines

Date: November 19, 2019

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
P. Smith.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Hluska		

	YES	NO
Mazzella		
DeBurgomaster		
Luther		
Roberts		
Harmon		

*Does Not Fall Under Guidelines

Date: December 10, 2019

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
R. Rugari.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed/Defeated~~: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
R. Vasko.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
R. Mehnert.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~. **UNANIMOUS**

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: November 19, 2019

MOTION SHEET

Motion:

To approve Honorary Retiree Chapter application for
D. Depew.

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	Excused	
Luther		✓
Roberts	✓	
Harmon	✓	

Date: November 19, 2019

ACTION WITHOUT MEETING

Proposed: To approve the Legal Defense Fund application for
L. Stoy

Proposal Made by: John Roberts

Action Result:

	YES	NO
Powers	✓	
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Carpenter	✓	

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

Date: October 22, 2019