

EXECUTIVE BOARD MINUTES

Date: August 18, 2020 Meeting called to order at 10:16 am

ROLL: Michael Powers, President
Tammy Sawchuk, Executive Vice President
Chris Summers, Recording Secretary
Frank Gilbo, Treasurer
Bryan Hluska, VP Central
Mike Mazzella, VP Mid-Hudson
Mark DeBurgomaster, 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

Directive Changes:

0000	2201	2702	4750	4425
4960	0701	2020	3056	2601
0070	0089	0063	2944	6920
2607	4080	2799		

Next meeting: September 15, 2020

Correspondence: None

President's Report–

On July 20th Greene C.F was on lock down

HALT started to see light aging, reached out to the Department to step up and help kill HALT.

Had Emily draft up a letter about COVID, moving 290 COVID grievances to step 3

On July 22 COVID was starting to pick up through the system.

NYC law that passed, we are working with the NYS Troopers.

Had our law firm reach out to Kathy Sheehan department council about 50A. We still have no response from the Department on how they are going to handle the foil request on 50A. Still haven't heard on jail closures.

Executive Vice-President-

July 15, 2020 – office: VP Hluska, VP Harmon, VP Roberts grievances. Meeting at Albany Training Academy regarding uniforms. Returned member emails and phone calls.

July 16 – office: return member calls and emails. J&E policy meeting. Conference call with Greg Myers re light duty IP being moved to Aug 6th 10am. Follow up calls with VP Luther and VP Roberts.

July 17 – office: return member calls and emails. Followed up with Emily Hannigan re Article 15 grievance. Followed up with Sarah re OMH PESH complaint. Followed up with VP Roberts re Q&A's.

July 20 – office: return member calls and emails. Follow up with Dave Luther regarding Sing Sing. Follow up with John Harmon re OMH. Follow up with Chris Moreau re Shawangunk member NOD.

July 21 - office: return member calls and emails. Meeting with North East Kidney Foundation. Meeting with Frank Gilbo. Follow up calls with Dave Luther and John Harmon Q&A's.

July 22 – office: return member calls and emails. J&E Packet sent to Central Region. Conference call with Ashley Emory re PESH complaints. Follow up with John Roberts re Clinton CF.

July 23 – office: return member calls and emails. Follow up with John Harmon re OMH PPE. Follow up with Dave Luther re masks and hand sanitizer. PESH conference call w Emily Hannigan and Dana Betts.

July 24 office: return member calls and emails. Call placed to Alan Ohms re Brooklyn Parole Office complaint from Michael Rodd. Follow up with Dave Luther re email sent to Commissioner Enright.

Monday 27- Friday 31st Worked from remote locations. Returned member calls and emails. Touched base with Regional VPs. Contacted member from Shawangunk re NOD.

August 3 – office: returned member calls and emails. Reviewed grant applications. J&E case #275 set for August 25. Follow up with VP Harmon re Mid-Hudson PC. Meeting with President Powers re Article 15 grievance; discussed possible withdraw: president will reach out to the board and discuss.

August 4 - office traveled to Hamburg, NY. Worked from remote location. Returned member calls and emails. Follow up with Dave Luther re Queensboro memorial.

August 5 - worked from remote location- returned member calls and emails. Followed up with Mark DeBurgomaster, Chris Summers, and Frank Gilbo re Gowanda/ Collins member meeting.

August 6 - travel back to Albany office. PRC meeting (JLMC). Will discuss minutes at next Board Meeting.

August 7 - traveled to Plattsburgh/ Clinton CF. Worked from remote location. Answered member calls and emails. Followed up with VP Roberts and VP Luther.

August 10 – office: returned member calls and emails. Conference call with Melissa Matthews from North East Kidney Foundation. Notified by Bob Cronin President Powers withdrew Article 15 grievance. Spoke with Emily Hannigan regarding proper procedure for withdrawing a grievance. Call from president powers inquiring why I called Lippis with concerns over him withdrawing Article 15 grievance?

August 11 – office: returned member calls and emails. Spoke with Chris Moreau regarding OSI-J&E packets sent. Meeting with Mike Marro regarding shortage of ISOs assigned to Albany Training Academy and Washington Ave worksites due to hiring freeze. Mike Marro will reach out to Darren Ayotte.

August 12 – office: returned member calls and emails. P/C with Greg Myers regarding DOL Complaint.

August 13- office: returned member calls. Travel to Mohawk

August 14- Travel Back to Albany office: returned member calls.

August 15- office: returned member calls. Meeting with office manager.

August 17- office: returned member calls. Reviewed board agenda. Meeting with VP Roberts. Reviewed transfer list from Mike Marro. P/C from Bob Cronin moving 290 Covid-19 step 2 grievances to step 3.

August 18- office: Board meeting. Travel to NYC

Treasurer's Report-

Total Cash -19.05 Million

Rainy Day Fund -1.40 Million

Rainy Day Separation Fund -621 Thousand

Legal Defense Fund- 3.18 Million

Unrestricted Bond- 10.10 Million

Restricted Bond- 2.33 Million

General Operations- 3.35 Million

PAC Fund 348 Thousand

Regional Vice-President's Reports

Law Enforcement Report:

Southern Region Report:

Month #5 COVID 19

7/1/20 Yonkers Office

7/2/20 Yonkers Office

7/3/20 Yonkers Office

7/6/20 Yonkers Office

7/7/20 Yonkers Office

7/8/20 Yonkers Office and TCF Members Meeting

7/9/20 Yonkers Office and SSCF Stewards Meeting

7/10/20 Yonkers Office

7/13/20 Yonkers Office

7/14/20 Albany for E B Meeting

7/15/20 Yonkers Office

7/16/20 Yonkers Office and ECF

7/17/20 Yonkers Office

7/20/20 Yonkers Office and Albany for L/R Meeting

7/21/20 Meeting at Albany Building 9 Step 2s

7/22/20 Albany Building 9 and 54 State Street

7/23/20 Yonkers Office and SSCF

7/24/20 Yonkers Office

7/27/20 Yonkers Office and TCF

7/28/20 Yonkers Office to ECF and to Qboro Members meeting

7/30/20 Yonkers Office

7/31/20 Yonkers Office and BHCF

Separation of service - 0

Suspension - 3

Grievance- 4

N.O.D. - 5

Q&A / 24hr notice interviews - 16 All Held at the Facility

Western Region Report:

July 2020

15th – Attend Meeting in Albany / Office / Step 2's Attica Wyoming

16th – Office / Step 2' Willard

17st – Office / Willard site visit

20th – Helming Golf Event / Q&A Utica / Arb. WDTC

21st – Arb. WDTC / Office

22nd – Arb. WDTC / Office / Albion Site Visit

23rd – Office / Arb. WDTC / Regional Meeting

24th – Office / Arb. WDTC

27th - Office

28th – Office / Arb. WDTC

29th – Office / Arb. WDTC

30th – Albany Meeting / Office / Q&A Attica

31st – Office / Buffalo Q&A

August 2020

3rd – Office / Arb. Prep Waterloo

4th – Office / Arb – Elmira / Attica Site Visit / Orleans Site visit

5th– Office / Gowanda Site visit / Gowanda-Collins-Lakeview Event

6th– Office / Wyoming site visit

7th – Office / Arb. WDTC

10th – Office / 3-11 site visit Attica

11th – Office / Arb. Seneca Falls

12th – Office / Arb. WETC

13th – Office / Arb. Prep Elmira / Step 2's

14th – Office

16th – Office / Travel to Albany for Board Meeting

17th – Office / Albany Board Meeting / Arb. Elmira

Regional Issues:

COVID Grievances Staffing/Sticks No PR from NYSCOPBA

ART 15 Litigation Promotions-Transfers 2% Raise

FMLA for COVID Closures

Central Region Report:

7/15/20- Regional Stewards meeting.

7/16/20- conferenced with law firm about current legislation, OSI showing up at members houses and updated members in the region about the situations.

7/17/20- worked on press release for two assaults on staff out of Mid-State CF.

7/20/20- Step 2 grievance hearing at Gouveneur CF. Q and A at the state office building for a member from Mohawk CF.

7/21/20- Press release put out for 2 assaults on staff from Mid-State CF. Worked on a press release for drugs recovered at Mid-State CF. Member expanding taskforce meeting.

7/22/20- Press release put out for drugs recovered out of Mid-State CF.

7/23/20- Assisted CSS from Marcy with a class action grievance for unsafe work environment.

7/24/20- worked on a press release for assault on staff and drugs recovered out of Mohawk CF.

7/27/20- Assisted CSS for Marcy with their administration not allowing them to use the QWL for union meetings. Reported the situation to President Powers who spoke with O’Gorman and O’Gorman called Marcy CF and the situation was rectified. They were able to use the QWL.

7/28/20- worked on a press release for drugs recovered out of Mid-State CF.

7/29/20- site visit Watertown CF. Press release put out for drugs recovered and an assault on staff out of Mohawk CF also a press release for assault on staff out of Mid-State CF.

7/30/20- 2 Q and A’s for members out Marcy CF at their facility.

7/31/20- Assisted CSS from Gouveneur CF with an overtime issue.

8/3/20- worked with EAP for a member in need out of Mohawk CF.

8/4/20- made calls to County Executive Picente, Senator Griffo, Senator Ritchie, Assemblyman Blankenbush and Assemblyman Walczyk in efforts to stop the visitation from starting back up. Ritchie, Walczyk and Blankenbush sent letters to the Acting Commissioner.

8/5/20- worked on a press release for Watertown and Gouverneur CF for drugs recovered.

8/6/20- did an interview with Andrew Dormino from WIBX950 opposing visits.

8/7/20- press release went out for Watertown and Gouverneur CF for drugs recovered. Conferenced with the law firm and spoke with labor relations about a pending NOD on a member out of Mid-State CF.

8/10/20- Conferenced with law firm and spoke again with labor relations to settle a pending NOD.

8/11/20- assisted CSS from Gouverneur CF with their vacation calculation.

8/12/20- member building task force meeting.

3/13/20- Q and A for a member out of Gouverneur CF at the state office building.

8/14/20- Assisted a member out of Marcy CF with a seniority grievance.

8/17/20- site visit at Mohawk CF with Recording Secretary Chris Summers.

8/18/20- E Board meeting at NYSCOPBA HQ.

Central Region Currently has-

7 Grievances at step 2, 12 awaiting a decision at step 2.

2 Grievances at step 3.

5 NOD's settled.

9 NOD's pending.

4 Officers locked out.

0 Officer on admin leave.

0 Officers on the rainy day fund.

COVID-19-

Mid-State: 41 Officers total, 18 Positive and 23 Quarantined.

Marcy: 38 Officers total, 14 Positive and 24 Quarantined.

Mohawk: 5 Officers total, 2 Positive and 4 Quarantined.

Mid-Hudson Region Report:

Verbal report was given on issues through region. OSI investigators going to members houses.

Northern Region Report:

7-15-20 meeting with DOCCS at Ata, Q&A Clinton CF

7-16-20 Arbitration Up State

7-17-20 Arbitration Up State

7-20-20 NRGTT preparations

7-21-20 Clinton CF

7-23-20 law firm for Washington Arbitration

7-24-20 meeting with Member about OSI visit

7-28-20 Albany office

7-29-20 Albany, NYC Arbitration Washington CF

7-31-20 Albany Q&A Washington

8-3-20 Dannemora Clinton office meetings

8-4-20 Malone QWL Bare Hill Meetings

8-5-20 Riverview

8-6-20 Albany office

8-7-20 Clinton CF

8-10-20 meeting in Plattsburgh

8-11-20 Albany office

8-12-20 River CF Q&A

8-13-20 Ogdensburgh, member wake Riverview CF

8-14-20 Great Meadow

8-17-20 Albany office, Albany Training Academy Q&A

Rdf 1

3 resignations

1 public officers law termination

1 favorable Arbitration

2 active members death Albany ISO, Riverview Co

Also verbal report to the board

Unfinished Business:

- Article 15 this will be taken to the next EA and talked about.
- To file an Article 75 on the behalf of Fluman and Sheppard Passed (See attached motion)
- E. Phillips- to have a certified letter sent out to all non-members other than the one that's opt out
- Payroll Protection Program (PPP) Loan this is to be sent back
- G. Rock Retirement appeal this has been decided in 2017. Which all 3 applications were denied and Mr. Rock also appealed it when there was no appeal process and was denied. The board stands by the decision.

New Business:

- Disability Retirement Appeal
- Utilize Koehler and Issac for Metropolitan NYC Region on Union issues. Looking more into this and to be put on the next board agenda.
- Al Mothershed WR BA this was discussed with the board
- To close grievance CON 17-0074 (Closed) (See attached motion)
- To close grievance CON 12-0598 (Closed) (See attached motion)
- To close grievance CON 12- 0599 (Closed) (See attached motion)
- To continue to hit the media with secure vendor program and closures. We are moving forward. President Powers is in talking with Grammercy and Jim Miller.
- W. Comstock second catastrophic for wife Passed ((See attached motion)
- Federal endorsements/-Pac NYSCOPBA needs to look at redoing the endorsement policy. As of now the membership needs to be polled before any endorsements can be done.
- 2nd Catastrophic application for J. Largett Passed (See attached motion)

Motions:

Rainy Day Fund Applications – K. Sharpe, W. Deacon, T. Everly, R. Wiltsie (See attached motions)

Honorary Retiree Chapter Applications- Frank Sammartano, Richard Susice, Kerry Smith,
Donald Steger (See attached motions)

Action Without A Meeting M. Bodden, J. Perez (See attached motions)

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

Chris Summers
Recording Secretary

MOTION SHEET

Motion:

To File Article 75's for Officers Fluman and Sheppard
who were terminated by arbitrator Trachtenberg who's
decision was bias.

Motion Made by: Executive Board

Motion Seconded by: _____

Motion Passed/Defeated: **UNANIMOUS**

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

TABLED UNTIL August Board meeting.

Date: July 14, 2020

August 18, 2020

MOTION SHEET

Motion:

To close grievance CON 17-0074

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Hluska		

	YES	NO
Mazzella		
DeBurgomaster		
Luther		
Roberts		
Harmon		

WAS ALREADY CLOSED BY MASTER ARB

Date: August 18, 2020

MOTION SHEET

Motion:

To close grievance CON 12-0598 & CON 12-0599

Motion Made by: Executive Board

Motion Seconded by: _____

Motion Passed / Defeated: UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020

MOTION SHEET

Motion:

Approve a second catastrophe for
William Comstock.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the 2nd Catastrophic application

For J. Largett

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	/	
Summers	/	
Gilbo	/	
Hluska	/	

	YES	NO
Mazzella	/	
DeBurgomaster	/	
Luther	/	
Roberts	/	
Harmon	/	

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
K. Sharpe.

Motion Made by: Executive Board

Motion Seconded by: _____

Motion Passed/Defeated: **UNANIMOUS**

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Hluska		

NOT Eligible

	YES	NO
Mazzella		
DeBurgomaster		
Luther		
Roberts		
Harmon		

Date: August 19, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
W. Deacon.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk		
Summers		
Gilbo		
Hluska		

DJ

	YES	NO
Mazzella		
DeBurgomaster		
Luther		
Roberts		
Harmon		

Date: August 18, 2020

MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/Defeated:

UNANIMOUS

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo		✓
Hluska		✓

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

Date: August 18, 2020

MOTION SHEET

Motion:

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

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application
For F. Sammartano.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed/~~Defeated~~:

7 to 2

	YES	NO
Powers		
Sawchuk	✓	
Summers		✓
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application
For K. Smith.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed / ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application
For R. Susice.

Motion Made by:

Executive Board

Motion Seconded by:

Motion ~~Passed~~ Defeated

7 to 2

	YES	NO
Powers		
Sawchuk		✓
Summers		✓
Gilbo	✓	
Hluska		✓

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

Date: August 18, 2020

MOTION SHEET

Motion:

To approve the Honorary Retiree Chapter application
For D. Steger.

Motion Made by:

Executive Board

Motion Seconded by:

Motion Passed ~~Defeated~~:

UNANIMOUS

	YES	NO
Powers		
Sawchuk	✓	
Summers	✓	
Gilbo	✓	
Hluska	✓	

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

Date: August 18, 2020