

EXECUTIVE BOARD MINUTES

Date: March 10, 2020 Meeting called to order at 9:28am

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 March 6, 2020 attached to this agenda.

Directive Changes: 2700 2900 0085

Next meeting: April 28, 2020

Correspondence: Conference call with Dennis Vacco

President's Report–

Executive Vice-President-

2/12 Office / Public Protection Hearing
2/13 Office
2/14 Office
2/17 Office Closed Holiday
2/18 Office / Meeting with PANE
2/19 Office / J&E case 270
2/20 Office / Meeting with VP Harmon
2/21 WFH

2/23 Meeting WIC
2/24 Office
2/25 Office / PAC Reception
2/26 Office / PANE
2/27 Office / PERB conference moved to April (Light Duty IP)
2/28 WFH
3/2 Office
3/3 Office / PANE / Staff Meeting
3/4 Office
3/5 Office / NEKF
3/6 Office / PRC Meeting
3/9 Office
3/10 Board Meeting

Member Concerns: Clear bag / Article 15 Litigation / Staffing / Mandatory Sticks / Coronavirus /Labor Relations / Recorded Q&A's

Treasurer's Report-

Total Cash -15.65 million

Rainy Day Fund -1.18 million

Rainy Day-Separation Fund -82 thousand

Legal Defense Fund- 2.92 million

Unrestricted Bond- 10.01 million

Restricted Bond- 2.33 million

General Operations -1.10 million

PAC Fund- 245 thousand

Regional Vice-President's Reports

Law Enforcement Report:

- Memo going out concerning Coronavirus to LE Agencies. No known exposures to date.
- 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. I have received many questions about the nonpayment of retroactive payments in 2020. A revised list with additional names will be drafted.

- Contract books are printed and will be distributed at EA.
- 2020 Legislative, Administrative and Political LE Agenda is complete and was sent to Lobbyist, Legislative Counsel and Law Firm. A meeting was held to discuss agenda and potential lobbyist for LE. Follow up this week.
- Nonmember policy updated to reflect issues with LE signing of cards timely due to logistics of LE Region.
- 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.
- Reached out to OMH, no communication for next Statewide LMM. Last held on March 8, 2019 at 1030. Awaiting minutes from meeting.
- Retiree Committee: Policy Revision sent to EA for approval.
- Many communications with Kirby/ Manhattan PC on consolidation of Kirby and Manhattan PC Safety Departments and SHTA move to Dunlap Bldg. Conducted visit and walkthrough of Dunlap Building engaging with members about move and issues. Had phone conversation with Admin on March 9, 2020 to discuss issues.
- Working on resolutions to several IPs.
- Veterans committee updates: Working on fundraisers to raise money for Veterans Trip in 2021.
- Collective Bargaining Committee will meet again in early 2020.
- PRC met on March 6, 2020. Many issues and problems with NYS concerning expending our contractual monies with QWL and Tuition Reimbursement.
- NYSCOPBA needs to develop plan to promote issues that the organization was successful or won. Membership does not know of grievance, discipline and legislative wins and successes.
- PANE tentative reached and Executive Board vote at Board Meeting.
- Visited Marcy CF with President and CR Reps to meet with members after incident on March 9, 2020.

Interrogations – 13

Admin Leaves – 8

Southern Region Report:

2/3/20 – Yonkers Office meet officers at Office

2/4/20- Yonkers Office

2/5/20- Arb prep in Albany

2/6/20- Albany Committee meeting

2/7/20- Yonkers Office and venue review in New Rochelle

2/10/20- Yonkers office then Albany for meeting

2/11/20- Albany E Board meeting

2/12/20- Yonkers Office

2/13/20- Albany ATA Q&A

2/14/20- Yonkers Office

2/17/20- Yonkers office

2/18/20- SSCF to Yonkers Office

2/19/20- NYC Arbitration

2/20/20 -Yonkers Office

2/21/20- Fishkill Arbitration

2/28/20- Yonkers office to BHCF for meeting

2/29/20- Yonkers Office

Settlements- 3

Suspensions- 3

Grievances- 3

Separation of Service – 3

Q&As - 3

Western Region Report:

02.12.20 – Q & A Utica / Site Visit Cayuga

02.13.20 – Office / Site Visit Attica

02.14.20 – Office / Q & A Utica

02.17.20 – Office Closed Presidents Day

02.18.20 - Office

02.19.20 – Q & A Buffalo / ARB Waterloo / Office

02.20.20 – ARB Waterloo / IME Buffalo / Office

02.21.20 – Tour Groveland Annex with Assembly woman Burns / Q & A Utica / ARB Waterloo.

02.24.20 – Office / Rochester Member meeting / Elmira Member meeting

02.25.20 - Office / Rochester ISO Labor Management Meeting / NYSCOPBA PAC event,

02.26.20 – Office / Waterloo Arb. / Regional Meeting

02.27.20 – Wende Arb. / Office

02.28.20 – Buffalo Arb. Prep. / Office

March 2020

03.02.20 – Waterloo Arb. / Office

03.03.20 – Waterloo Arb. / Buffalo Q & A's / Wende Site Visit

03.04.20 – WRTC Arb. / Office / Travel to Albany

03.05.20 – Meeting in Albany regarding recording devices at interviews.

03.06.20 – Office / IME Buffalo / Q & A Wende OSI / Senator Borello Olean

03.09.20 – Office / Roswell Park Bald for Bucks event / Buffalo Q & A / Travel to Albany.

03.10.20 – E-Board Meeting

03.11.20 – Executive Assembly Meeting

03.12.20 – Executive Assembly Meeting

Central Region Report:

2/12/20- Office Hours, Assisted CSS from Gouverneur CF with a staffing issues, sent him an MOU from another jail for reference for the staffing office. Cape Vincent had a letter come in with an unknown substance on it, package room was locked down and contained. Hazmat was called in, we are waiting on results.

2/13/20- Office Hours, assisted member from Mohawk CF with an occasions issue, reached out to Mike Marrow and he sent me a similar grievance from another facility. Gave that grievance to the CSS and the T and A Lieutenant took the occasion away. Assisted Watertown with a shaving accommodation issue. Cape Vincent CF mailroom locked down for suspicious incoming mail, Hazmat was called in.

2/14/20- Office Hours, went to Oneida County District Attorney's office with a member to testify on an assault on staff case.

2/17/20- Office Closed Holiday.

2/18/20- Office Hours, sent all Chief Sector Stewards an email to update the regional office weekly of their UI and contraband numbers for their facilities. Sent UI's to PR, 2 for Mohawk CF and 1 for Mid-State CF. Assisted member with retirement paperwork.

2/19/20- Office Hours, Prepped a member from Marcy CF for a Q and A. Press release put out for drugs recovered and an assault on staff for Mohawk CF also including an assault on staff for Mid-State CF.

2/20/20- Office Hours, coordinated with WKTV for NYSCOPBA PR for the heart run and walk.

2/21/20- Office Hours, assisted member with retirement paperwork. Had 4 Q and A's at the state office building for officers from Marcy CF.

2/24/20- Office Hours, Q and A at the Albany Training Academy for an Officer from Gouverneur CF.

2/25/20- Office Hours, attended NYSCOPBA Legislative Reception in Albany.

2/26/20- Office Hours, reviewed EA minuets, finalizing regional meeting agenda. Mohawk CF had several inmate on inmate fights on 2/25/20 tour 3, administration was called into the facility and they hired several officers for overtime to monitor the situation. Cape Vincent CF had similar situations involving Drugs in the facility and their administration also hired overtime to monitor their situation. President Powers notified.

2/27/20- Office Hours, recorded a commercial for NYSCOPBA and the Heart Run and Walk. Set up step two grievance hearings with labor relations, 1 for Mohawk CF and 2 for Marcy CF. Finalizing arbitration dates for officers from Mid-State CF.

2/28/20- Worked from Home, worked with Jimmy Miller on PR ideas and state wide labor management. Press Release put out for Gouverneur on a throwing incident.

3/2/20- Office Hours, Q and A for an officer from Marcy at the Albany Training Academy.

3/3/20- Office Hours, Triage in Albany at the law firm for an officer from Cape Vincent CF.

3/4/20- Office Hours, Regional meeting at Boondocks Restaurant and Bar 3950 NY-12, Lyons Falls 13368. Billy Naylor NYSCOPBA retirement Specialist and Keith Jacques partner in charge for the law firm attended.

3/5/20- Meeting at the Albany Training Academy with John Shipley, Darren Miller, and Jim O'Gorman about OSI audio recording interviews.

3/6/20- Office Hours, Step 2 grievance hearings, 1 at Mohawk CF and 2 at Marcy CF.

3/9/20- Office Hours.

3/10/20- Board Meeting in Albany.

Central Region Currently has-

3 Grievances at step 2.

2 Grievances at step 3.

4 NOD's settled.

17 NOD's pending.

9 Officers locked out.

2 Officer on admin leave.

0 Officers on the rainy day fund.

Mid-Hudson Region Report:

02/12/20 - Assemblyman Miller Fundraiser
02/17/20 - Arbitration Prep meeting
02/18/20 - Q&A Albany
02/25/20 - Q&A Fishkill
02/26/20 - Disciplinary Arbitration
02/27/20 - Disciplinary Arbitration
02/28/20 - Retirement Party
03/02/20 - Product Evaluation Committee Meeting Albany
03/05/20 - Recording Device Meeting with DOCCS
03/05/20 - Regional Meeting
03/07/20 - Retirement Party

There are timekeeping issues all around the region. Greene and Fishkill are having issues with Pre-Approved Worker's Comp appointments are being denied.

Green Haven is also having an issue with timely payment of overtime.

Sponsorship of sports teams and events throughout the region are ramping up.

Inmate at Woodbourne is continuously harassing a female Officer. Administration keeps telling the Officer that the inmate will be shipped out to no avail.

Received a phone call from a Union Rep regarding the questions that visit process Officers are being made to ask visitors upon entering the facility. They were unsure if it was a violation of HIPAA. I assured him that it was not a violation.

Dutchess County DA dropped the charges against an inmate that stabbed an Officer with a pen during an assault on staff. Chain of Custody and securing of crime scene were the issues.

Trying to get settlements from BLR is becoming increasingly difficult. If ADID (Diversity Management) get involved, then DOCCS states that they are unable to settle cases until their recommendation is received. So far, we have an Officer out for over a month without pay waiting for ADID to investigate the case.

Northern Region Report:

2-13-20- arb discussions with member, Albany office

2-17-20 Meeting with member and Keeseville vendor for PR in the area

2-20-20 Basketball PR for 2 local tournaments

2-21-20 Meeting with Local Steward and possible benefit

2-24-20 local meetings and banner pickup from events

2-25-20 Albany office

2-26-20 Albany office

2-27-20 Step 2 Clinton QWL

2-28-20 Bowl a thon PR event meeting

3-2-20 Albany office, Ata, legislative meeting

3-3-20 Albany, regional

3-4-20 meeting with members

3-5-20 Albany

3-6-20 Albany

3-9-20 Meeting with a member

3-10-20 Albany

3-11-20 Albany EA

Rainy Day Fund- 2

2 members issues with k9 and resigned

Unfinished Business:

- Tablets in SHU with phone capabilities/wifi- looking into it and getting more info on it from the last board meeting. A follow up phone call was going to be given to the Department.
- drug testing follow up with the Department about new vendor. Also follow up on testing of K2.

New Business:

- To close grievance CON15-0013- this grievance was closed see attached motion
- Catch a Falling Star- went over all the statistical status from 2019. More members are using the program
- PANE- went over the tentative contract see attached motion
- EOL time
- CO B. Hauver Civil Service 71- to file an Article 78 on the behalf of B. Hauver see attached motion
- NYSCOPBA 401k trustees to replace the trustees see attached motion

- Thoroughbred Retirement Foundation - partnership with NY DOCCS: TRF Second Chances Program
- Update on the clear bag- since the letter from the board has been sent over there has been no response from the department. Looking to move forward on the issue.
- 2nd request for Catastrophic Assistance- this request was passed see attached motion
- Back up for Mary- looking to hire either a full or part time
- Article 15 litigation- Discussion was going to take place on Thursday March 12, 2020
- follow up on negotiations on grievance for outside agencies
- Knife blade size, how is it measured. The blade should be measure it from the tip of the blade to the edge of the metal part of the blade.
- Coronavirus memo bleach and super sani wipes are not readily available all over the facility. This has been put on State Labor Management agenda. President Powers also has been having commutation with the Department on this issue.
- Marcy RMHU sell shields are being close for seven days when an inmate throws on an officer, when it's open back up they throw again. Looking to have cell shields close permanently for known throwers

Motions:

Rainy Day Fund Applications – S. Shaw, K. Rautenstrauch, A. Harricharan, Mark Gozdalski, G. Martin, J. Citriniti, A. Scalise – (See attached motions)

Honorary Retiree Chapter Applications- None at this time



Chris Summers
Recording Secretary

MOTION SHEET

Motion:

To close grievance CON 15-0013

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: March 10, 2020

MOTION SHEET

Motion:

To approve the tentative PANE contract

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: March 10, 2020

MOTION SHEET

Motion:

To replace Joe Miano with Mark DeBurgomaster and
And to replace Mike Mazzella with Bryan Hluska on
the NYSCOPBA 401K plan as trustees.

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: March 10, 2020

MOTION SHEET

Motion:

To file an Article 78 on the behalf of B.Hauver.

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: March 10, 2020

MOTION SHEET

Motion:

To approve 2nd request of Catastrophic application
For K. Raven.

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: March 10, 2020

MOTION SHEET

Motion:

To approve the Legal Defense Fund for R. Tilley

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: March 10, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
A. Harricharan.

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		✓

*This was TABLED at FEBRUARY'S BOARD MEETING.

Date: March 10, 2020

MOTION SHEET

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Motion:

To approve the Rainy Day Fund application for
J. Citriniti

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: March 10, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
A.Scalise

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: March 10, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
G. Martin.

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: March 10, 2020

MOTION SHEET

Motion:

To approve the Rainy Day Fund application for
S. Shaw.

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: March 10, 2020

MOTION SHEET

Motion:

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

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: March 10, 2020