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12	CLARENCE FISHER, South	12	
13	JOHN HARMON, Law Enforcement	13	
14	JOE MIANO, Western	14	
15		15	
16	Also Present:	16	
17	Bill Sheehan, Esq.	17	
18	Keith Jacques, Esq.	18	
19	Steven Anderson, Parliamentarian	19	
20		20	
21		21	
22		22	
23		23	
24		24	
	2		4

1	MOTIONS		1	PRESIDENT POWERS: Let's
2		PAGE	2	find our seats. Let's
3			3	have the Sergeant at Arms
4			4	clear the hall.
5	To approve the Minutes	25	5	We'll get started.
6	To have the Collective Bargaining		6	Good afternoon. Call the
7	Committee follow the direction from PERB		7	meeting to order. All
8	to meet with GOER to continue the	212	8	please, rise.
9	negotiation process.		9	
10	To amend Articles A and B	215	10	(Whereupon, the Pledge
11	submitted by Shawn Carlson		11	of Allegiance was
12	To send to the membership the motion to	219	12	conducted and moment of
13	Change Article 10, Section A.		13	silence recognized.)
14	To table the question regarding direct	243	14	
15	deposit for Rainy Day Fund until		15	PRESIDENT POWERS:
16	later date	243	16	Thank you. Gilbert, can
17	To withdraw motion to hold statewide	265	17	we have the rules read in,
18	meeting		18	the rules for the
19	To recess	274	19	assembly.
20			20	MR. GILBERT: Executive
21			21	Assembly Rules of Order.
22			22	Anyone upon entering the
23			23	Executive Assembly must
24			24	wear the NYSCOPBA
		5		7
1	DISPOSITION OF MOTIONS		1	identification tag. Chief
2			2	Sector Stewards will sit
3	To approve the minutes -- carried	25	3	in designated areas when
4	To have the Collective Bargaining		4	the Executive Assembly is
5	Committee follow the direction from PERB		5	in session.
6	to meet with GOER to continue the	212	6	Cellular phones are to
7	negotiation process -- carries		7	be turned off and beepers
8	To amend Articles A and B	215	8	are to be put on vibrating
9	submitted by Shawn Carlson --carries		9	mode. The recording
10	To send to the membership the motion to	220	10	devices are prohibited
11	Change Article 10, Section A--carries		11	unless provided by
12	To table the question regarding direct	243	12	membership services and
13	deposit for Rainy Day Fund until		13	those directed by the
14	later date -- carries	243	14	recording secretary.
15	To withdraw motion to hold statewide	266	15	NYSCOPBA members in
16	meeting -- carries		16	good standing will be
17	To recess -- carried	274	17	allowed to address the
18			18	Executive Assembly.
19			19	Please state your name
20			20	and your sector. Speakers
21			21	at the microphone will
22			22	follow the direction of
23			23	the Sergeant at Arms.
24			24	Thank you.
		6		8

1 PRESIDENT POWERS:
 2 Thank you. Dave?
 3 TREASURER VIDDIVO: I'm
 4 pitch hitting today for
 5 Mike, Dave Viddivo, Roll
 6 call. President Powers?
 7 PRESIDENT POWERS:
 8 Here.
 9 TREASURER VIDDIVO:
 10 Powers, present.
 11 VP Sawchuk?
 12 EXECUTIVE VICE
 13 PRESIDENT SAWCHUK: Here.
 14 TREASURER VIDDIVO:
 15 Sawchuk, present.
 16 Treasurer Viddivo, here.
 17 Mike Dildine, excused.
 18 VP North, Hansen?
 19 VICE PRESIDENT HANSEN:
 20 Here.
 21 TREASURER VIDDIVO:
 22 Hansen, here.
 23 VP Mid-Hudson,
 24 Mazzella?

9

1 VICE PRESIDENT
 2 MAZZELLA:
 3 Here.
 4 TREASURER VIDDIVO:
 5 Mazzella, present.
 6 VP Law Enforcement,
 7 Harmon?
 8 VICE PRESIDENT HARMON:
 9 Present.
 10 TREASURER VIDDIVO:
 11 Harmon, present.
 12 Central, Lashway?
 13 VICE PRESIDENT LASHWAY:
 14 Present.
 15 TREASURER VIDDIVO:
 16 Lashway, present.
 17 South, Fisher.
 18 VICE PRESIDENT FISHER:
 19 Present.
 20 TREASURER VIDDIVO:
 21 Fisher, present.
 22 West, Miano?
 23 VICE PRESIDENT MIANO:
 24 Here.

10

1 TREASURER VIDDIVO:
 2 Miano, present.
 3 Sergeant's Liaison,
 4 Sellers?
 5 MR. SELLERS: Here.
 6 TREASURER VIDDIVO:
 7 Sellers here. Adirondack,
 8 Sturgeon?
 9 MR. STURGEON: Here.
 10 TREASURER VIDDIVO:
 11 Sturgeon, present.
 12 Albany Training Academy,
 13 Keenan?
 14 MR. KEENAN: Here.
 15 TREASURER VIDDIVO:
 16 Keenan, present.
 17 Albion, Molino?
 18 MR. MOLINO: Here.
 19 TREASURER VIDDIVO:
 20 Molino, present.
 21 Altona, Guerin?
 22 MR. GUERIN: Here.
 23 TREASURER VIDDIVO:
 24 Guerin, present.

11

1 Attica, Summers?
 2 MR. SUMMERS: Here.
 3 TREASURER VIDDIVO:
 4 Summers, present.
 5 Auburn, Delaney?
 6 MR. DELANEY: HERE.
 7 TREASURER VIDDIVO:
 8 Delaney, present.
 9 Bare Hill, Plonka?
 10 MR. PLONKA: Present.
 11 TREASURER VIDDIVO:
 12 Plonka, present.
 13 Bedford Hills, Hale?
 14 MR. HALE: Here.
 15 TREASURER VIDDIVO:
 16 Hale, present.
 17 Cape Vincent, no rep.
 18 Cayuga, Hatfield?
 19 MR. HATFIELD: Here.
 20 TREASURER VIDDIVO:
 21 Hatfield, present.
 22 Central Psych, Janes?
 23 MR. JANES: Here.
 24 TREASURER VIDDIVO:

12

1 Janes, present.
 2 Clinton, Moore?
 3 MR. MOORE: Here.
 4 TREASURER VIDDIVO:
 5 Moore, present.
 6 Collins, sticht.
 7 MR. STICHT: Here.
 8 TREASURER VIDDIVO:
 9 Sticht, here.
 10 Community Supervision,
 11 Ruland?
 12 MR. RULAND: Here.
 13 TREASURER VIDDIVO:
 14 Ruland, here.
 15 CCA's, Johnson?
 16 MS. JOHNSON: Present.
 17 TREASURER VIDDIVO:
 18 Johnson, present.
 19 Coxsackie, Carknard?
 20 MR. CARKNARD: Present.
 21 TREASURER VIDDIVO:
 22 Carknard, present.
 23 Downstate, Cooper?
 24 MS. COOPER: Here.

13

1 TREASURER VIDDIVO:
 2 Carlson, present.
 3 Franklin, Allen?
 4 MR. ALLEN: Here.
 5 TREASURER VIDDIVO:
 6 Allen, present.
 7 Gouverneur, Gleason?
 8 MR. GLEASON: Present.
 9 TREASURER VIDDIVO:
 10 Gleason, present.
 11 Gowanda, Butler?
 12 MR. BUTLER: Here.
 13 TREASURER VIDDIVO:
 14 Butler, here.
 15 Great Meadow, Raimo?
 16 MR. RAIMO: Here.
 17 TREASURER VIDDIVO:
 18 Raimo, present.
 19 Green Haven, Carlson?
 20 MR. CARLSON: Here.
 21 TREASURER VIDDIVO:
 22 Carlson, present.
 23 Greene, Barnes?
 24 MR. BARNES: Here.

15

1 TREASURER VIDDIVO:
 2 Cooper, here.
 3 Eastern, Bennett?
 4 MS. BENNETT: Here.
 5 TREASURER VIDDIVO:
 6 Bennett, present.
 7 Edgecombe, Patterson?
 8 MR. PATTERSON: Present.
 9 TREASURER VIDDIVO:
 10 Patterson, present.
 11 Elmira, Rice?
 12 MR. RICE: Here.
 13 TREASURER VIDDIVO:
 14 Rice, present.
 15 Fishkill, Dimmie?
 16 MR. DIMMIE: Here.
 17 TREASURER VIDDIVO:
 18 Dimmie, here.
 19 Five Points, Nelson?
 20 MR. NELSON: Here.
 21 TREASURER VIDDIVO:
 22 Nelson, present.
 23 Forest Rangers, Carlson?
 24 MR. CARLSON: Here.

14

1 TREASURER VIDDIVO:
 2 Barnes, present.
 3 Groveland, Martinez?
 4 MR. MARTINEZ: Here.
 5 TREASURER VIDDIVO:
 6 Martinez, present.
 7 Hale Creek, Krum?
 8 MR. KRUM: Here.
 9 TREASURER VIDDIVO:
 10 Krum, present.
 11 Hudson, Okonski?
 12 MR. OKONSKI: Here.
 13 TREASURER VIDDIVO:
 14 Okonski, present.
 15 ISO's, Ohms?
 16 MR. OHMS: Present.
 17 TREASURER VIDDIVO:
 18 Ohms, present. Kirby,
 19 Stewart?
 20 MR. STEWART: Here.
 21 TREASURER VIDDIVO:
 22 Stewart, present.
 23 Lakeview, Gruber?
 24 MR. GRUBER: Here.

16

1 TREASURER VIDDIVO:
2 Gruber, present.
3 Lincoln, Milliner?
4 MS. MILLINER: Here.
5 TREASURER VIDDIVO:
6 Milliner, present.
7 Livingston, Weider?
8 MR. WEIDER: Here.
9 TREASURER VIDDIVO:
10 Weider, present.
11 Marcy, Zeina?
12 MR. ZEINA: Here.
13 TREASURER VIDDIVO:
14 Zeina, present.
15 Mid Hudson Psych, Noel?
16 MR. NOEL: Here.
17 TREASURER VIDDIVO:
18 Noel, present.
19 Mid State, McGowan?
20 MR. MCGOWAN: Here.
21 TREASURER VIDDIVO:
22 Mcgowan, here.
23 Mohawk, Bielby?
24 MR. BIELBY: Here.

17

1 TREASURER VIDDIVO:
2 Aldous, present.
3 Rochester Psych, Raven?
4 MS. RAVEN: Here.
5 TREASURER VIDDIVO:
6 Raven, present.
7 SSO Central, Parnly?
8 MS. PARMLY: Here.
9 TREASURER VIDDIVO:
10 Parnly, present.
11 SSO Mid-Hudson, Smith?
12 MR. SMITH: Here.
13 TREASURER VIDDIVO:
14 Smith, present.
15 Safety North, no rep.
16 Safety Southern, Jean?
17 MS. JEAN: Here.
18 TREASURER VIDDIVO:
19 Jean, present.
20 Safety Western, Compton?
21 MR. COMPTON: Here.
22 TREASURER VIDDIVO:
23 Compton, present.
24 Security Officers,

19

1 TREASURER VIDDIVO:
2 Bielby, present.
3 Moriah, Gilbo?
4 MR. GILBO: Here.
5 TREASURER VIDDIVO:
6 Gilbo, present.
7 Ogdensburg, Lovely?
8 MR. LOVELY: Here.
9 TREASURER VIDDIVO:
10 Lovely, present.
11 Orleans, Lamar?
12 MR. LAMAR: Here.
13 TREASURER VIDDIVO:
14 Lamar, present.
15 Otisville, DeJager?
16 MR. DEJAGER: Here.
17 TREASURER VIDDIVO:
18 Dejager, present.
19 Queensboro, Odum?
20 MR. ODUM: Here.
21 TREASURER VIDDIVO:
22 Odum, present.
23 Riverview, Aldous?
24 MS. ALDOUS: Here.

18

1 Tomney V?
2 MR. VACHAPARAMBIL:
3 Yes.
4 TREASURER VIDDIVO:
5 Tomney V., present.
6 Security Assistants,
7 Christian?
8 MR. CHRISTIAN: Here.
9 TREASURER VIDDIVO:
10 Christian, present.
11 Shawangunk, Zappala?
12 MR. ZAPPALA: Here.
13 TREASURER VIDDIVO:
14 Zappala, present.
15 Sing Sing, Luther?
16 MR. LUTHER: Here.
17 TREASURER VIDDIVO:
18 Luther, present.
19 Southport, Westervelt?
20 MR. WESTERVELT: Here.
21 TREASURER VIDDIVO:
22 Westervelt, present.
23 Sullivan, Bell?
24 MS. BELL: Here.

20

1 TREASURER VIDDIVO:
2 Bell, present.
3 Taconic, Dowling?
4 MR. DOWLING: Here.
5 TREASURER VIDDIVO:
6 Dowling here.
7 Ulster, Scampoli?
8 MR. SCAMPOLI: Here.
9 TREASURER VIDDIVO:
10 Scampoli, present.
11 Upstate, Gary?
12 MR. GARY: Here.
13 TREASURER VIDDIVO:
14 Gary, present.
15 Walkill, Holbert?
16 MS. HOLBERT: Here.
17 TREASURER VIDDIVO:
18 Holbert, here.
19 Washington, Chaplin?
20 MR. CHAPLIN: Here.
21 TREASURER VIDDIVO:
22 Chaplin, Here.
23 Watertown, Nevills?
24 MR. NEVILLS: Here.

21

1 TREASURER VIDDIVO:
2 Nevills, present.
3 Wende, Keenan?
4 MR. KEENAN: Here.
5 TREASURER VIDDIVO:
6 Keenan, present.
7 Willard, Bellinger?
8 MR. BELLINGER: Here.
9 TREASURER VIDDIVO:
10 Bellinger, present.
11 Woodbourne, Gutierrez?
12 MR. GUTIERREZ: Here.
13 TREASURER VIDDIVO:
14 Gutierrez, present.
15 Wyoming, Hickey?
16 MR. HICKEY: Here.
17 TREASURER VIDDIVO:
18 Hickey, present.
19
20
21 We have to go back to
22 our last meeting, we had
23 the minutes from the
24 contract meeting, and

22

1 there was opposition to
2 those minutes at that
3 meeting. I do believe
4 that that has been
5 rectified. So at this
6 point I'm going to ask for
7 unanimous consent to
8 approve the minutes from
9 the meeting for the
10 contract.

11 All those in favor
12 signify by saying aye.

13
14 (All respond aye)

15
16 TREASURER VIDDIVO:
17 Anyone opposed.

18
19 (No response).

20
21 TREASURER VIDDIVO: So,
22 also last EA minutes, is
23 there any corrections to
24 those? Hearing none, all

23

1 those in favor signify by
2 saying aye?
3
4 (All respond aye.)
5
6 TREASURER VIDDIVO:
7 Anyone opposed?
8
9 (No response.)
10
11 TREASURER VIDDIVO:
12 Thank you.
13 PRESIDENT POWERS: We
14 have three valor awards
15 this morning. John
16 Harmon, from law
17 enforcement.
18 VP LAW ENFORCEMENT
19 HARMON: I've got three
20 valor awards all from
21 Creedmoor Psychiatric
22 Center. I'd like to have
23 Officer Robinson. And on
24 his behalf Officer

24

1 Henderson, he is here in
2 place of Officer Harris
3 who is also receiving a
4 valor award. He is unable
5 to make it due to a family
6 issue.

7 If you guys can come up
8 here, please and I'll read
9 it off. Two safety
10 security officers who work
11 at Creedmoor Psychiatric
12 Center are credited with
13 saving a driver of a
14 vehicle that hit a fire
15 hydrant and flipped over
16 several times. The
17 accident occurred February
18 21st, approximately 6:40
19 p.m.

20 Officers James Robinson
21 and Eric Harris were on
22 patrol in their vehicle
23 near Hillside Avenue and
24 Winchester Boulevard, when

25

1 they observed a vehicle
2 who hit a fire hydrant on
3 Hillside Avenue and
4 flipped multiple times.

5 Both officers ran to
6 the car and realized the
7 driver was trapped inside.
8 They opened the door and
9 cut the seatbelt that was
10 holding the driver inside
11 the car. The officers
12 pulled the driver to
13 safety as NYPD officers
14 arrived on the scene.

15 The driver was
16 conscious and transported
17 by Emergency Medical
18 Services Unit to Long
19 Island Jewish Hospital for
20 treatment.

21 The following day
22 Safety Security Officer
23 Robinson again was on
24 mobile patrol at

26

1 approximately 5:20 p.m. He
2 stopped at a deli located
3 right outside the
4 psychiatric center.

5 While he was in the
6 deli, an outpatient
7 resident walked in and was
8 choking. The patient
9 stumbled backwards and
10 fell to the floor. The
11 store manager noticed the
12 patient fall and wasn't
13 breathing. He informed
14 Officer Robinson what was
15 happening.

16 Officer Robinson
17 immediately began CPR ON
18 the patient. After
19 several seconds, the
20 patient began to cough and
21 breath again. EMS
22 services were called. The
23 patient was transferred to
24 Long Island Jewish

27

1 Hospital.

2 I'd like to commend
3 both these officers,
4 Officer Harris I'll have
5 an opportunity to speak
6 with him in person after
7 the EA. But Officer
8 Robinson, it's not often
9 that you have a officer
10 perform two acts of
11 heroism in consecutive
12 days; let alone in their
13 career.

14 So with that, Officer
15 Robinson, in recognition
16 of your noble acts and
17 willingness to go above
18 and beyond. You have
19 demonstrated true meaning
20 of heroism. Your
21 dedication, devotion show
22 you are truly an asset to
23 your profession. We honor
24 you on June 28th, 2017.

28

1 You will be receiving two
2 plaques for both acts of
3 heroism. And for that,
4 Officer Henderson, will be
5 receiving Officer Harris'
6 plaque the reads exactly
7 the same. So thank you.

8
9 (Standing ovation.)

10
11 VP LAW ENFORCEMENT

12 HARMON: Thank you again.

13
14 (All applause.)

15
16 PRESIDENT POWERS: VP

17 Mazzella has a valor award
18 as well.

19 VP MID-HUDSON MAZZELLA:

20 I was just informed that
21 I'm older than John
22 Harmon, so I'm going to
23 use glasses to read mine.
24 Can I have correctional

29

1 the call immediately.
2 Officer Wilson agreed to
3 sit with the emotionally
4 disturbed passenger and
5 kept her restrained, so
6 she could not harm herself
7 or others. He also
8 employed outstanding
9 communication skills which
10 kept the passenger calm.

11 Once on the ground
12 after the flight had
13 declared an emergency and
14 diverted to Jacksonville,
15 Florida, Officer Wilson
16 was the constant
17 professional with airport
18 police and the FBI. He
19 gave a very clear picture
20 of what had occurred to
21 FBI Special Agent
22 Silverstein and other
23 investigating agents.

24 His actions were swift

31

1 Officer Butch Wilson and
2 Chief Sector Steward Shawn
3 Carlson from Green Haven
4 come up please.

5 On January 25th, 2017
6 Correction Officer Gilbert
7 Butch Wilson from Green
8 Haven Correctional
9 Facility was aboard Jet
10 Blue 548 from Tampa to
11 White Plains, New York.
12 While the plane was in
13 flight, an emotionally
14 disturbed passenger got up
15 from her seat and
16 attempted to open the main
17 cabin door. She was
18 quickly subdued by another
19 passenger.

20 The flight crew
21 publicly announced they
22 needed an able body
23 passenger to help. And
24 Officer Wilson answered

30

1 and helped a potentially
2 hazardous situation. The
3 above situation was
4 reported to DOCCS by FBI
5 Special Agent Alex
6 Silverstein. Officer
7 Wilson performed above and
8 beyond his call of duty,
9 and is therefore receiving
10 the NYSCOPBA valor award.

11
12 (All applause and standing
13 ovation.)

14
15 VP MID-HUDSON MAZZELLA:

16 To be honest with you, I
17 didn't believe the story
18 at first because they
19 mentioned Officer Gilbert
20 was swift in his actions.

21 PRESIDENT POWERS:

22 Another round of applause
23 for our recipients,
24 please.

32

1
2 (All applause.)

3
4 PRESIDENT POWERS:
5 We'll move into the
6 President's report. Since
7 our last meeting back in
8 April, on April 24th I had
9 dinner with the Speaker of
10 the Assembly and his top
11 staff. It was a good
12 dinner. He seems a little
13 more receptive to our
14 issues as of late.

15 If you recall last year
16 he was new to the
17 position, and he was a bit
18 reserved and he was kind
19 of feeling his way. This
20 time around, it seemed to
21 be a much better meeting.
22 We had actually had a
23 poignant conversation
24 regarding SHUs, the NYCLU

33

1 And there was a lot of
2 hard work done in late
3 hours, a lot of phone
4 calls were made on behalf
5 of the Executive Board.
6 And more importantly Keith
7 Jacques and Dan Valente
8 who answered the call and
9 logged many, many hours.
10 So, at this time I'd like
11 to commend Keith and Dan
12 for getting that bill done
13 through the assembly.

14
15 (All applause.)

16
17 PRESIDENT POWERS: As
18 we're well aware, we are
19 fortunate to be able to
20 get that swiftly passed
21 through the Senate and the
22 Assembly was the hurdle;
23 there is still one more
24 hurdle as you're all well

35

1 settlement and the impact
2 that it's had in the
3 facilities and they seem
4 to be pretty receptive on
5 it.

6 The main portion of the
7 dinner obviously was to
8 seek his assistance for
9 our recently passed Death
10 Gamble Bill through the
11 Senate and assembly.
12 Without actually jumping
13 ahead, I'd like to
14 acknowledge the work that
15 Keith Jacques and Dan
16 Valente did to get that
17 done.

18 In NYSOPBA's history
19 we've yet, in many, many
20 years, over a decade, have
21 we been able to get that
22 legislation through the
23 State Assembly and this
24 year we were successful.

34

1 aware.

2 We'll be delivering
3 this bill to the Governor
4 and we'll be advocating
5 strongly to have him sign
6 this bill into law. By
7 all means, we're going to
8 call upon you, a call to
9 action if you will at some
10 point, in the very near
11 future, impressing upon
12 the Governor. We'll have
13 letters on the website, I
14 don't know if we'll be
15 doing the phone lines or
16 not. We'll be doing the
17 letters, we'll have them
18 online for you, so you'll
19 be able to copy and paste,
20 put your names on and be
21 able to send these letters
22 in support of this vital,
23 vital piece of
24 legislation.

36

1 That protects you and
2 your families after
3 twenty-five years of
4 service if you choose to
5 stay. This is vital
6 legislation. If you're
7 not familiar with it, look
8 it up on the web. And by
9 all means, throw all your
10 weight behind it as we
11 push forward to get this
12 done. We'll have many
13 meetings obviously
14 regarding that. We were
15 fortunate again just to
16 break the ice on April
17 24th with the Speaker and
18 get that.

19 The following day we
20 pulled Senator Gullivan
21 off the floor, April 25th,
22 and we spoke about some of
23 the budget language that
24 came out back in January

37

1 with that.

2 We also spoke to
3 Gullivan about possibly
4 doing some public
5 hearings. And those
6 public hearings would be
7 to show and discuss and
8 educate the public, the
9 legislature and more
10 importantly the Governor's
11 Office about the
12 increasing high rise of
13 contraband in our
14 facilities.

15 We look forward to
16 working with Senator
17 Gullivan. As we're all
18 well aware he is very much
19 a friend to NYSCOPBA, a
20 former law enforcement
21 officer and we look
22 forward to working with
23 him on that.

24 The following day we

39

1 with the Governor and what
2 was passed through the
3 legislature; about drug
4 testing in some of our
5 facilities.

6 Mainly the raise the
7 age facilities; Hudson
8 namely is one of them and
9 from what we understand as
10 of late, potentially a
11 couple more. We'll deal
12 with those the more
13 information we get
14 regarding those; we'll
15 obviously forward that
16 out.

17 As we pulled Gullivan
18 off the floor, we spoke
19 about some language
20 changes in the budget. We
21 were able to introduce
22 that to both houses; the
23 Senate and the Assembly
24 and we're moving forward

38

1 met with Assembly Chair --
2 or Corrections Chair
3 Assemblyman Weprin,
4 regarding the Death Gamble
5 and some other things that
6 he was looking to pursue.
7 We need to get behind it.

8 If you hear any rumors
9 about legislation about
10 visiting rooms and
11 operating on seven days a
12 week, that's his baby.
13 That's something that he's
14 looking at, he wants to
15 introduce it and move it.
16 I don't believe it had any
17 traction in the last
18 session, but it's
19 something that he feels
20 passionate about it. He
21 feels visiting rooms
22 should be open seven days
23 a week in all the
24 facilities, including our

40

1 mediums.

2 So when you see that,
3 don't be surprised when
4 you see it, we'll keep you
5 abreast as that moves. On
6 the 27th, dealt with some
7 issues out at Mohawk and
8 at Mid State. Mid State
9 has been a hot bed as of
10 late; we've had much
11 activity there as of late
12 and we stay on top of
13 that.

14 On Friday the 28th, we
15 were advised by our PR
16 firm they no longer wish
17 to be affiliated with
18 NYSCOPBA. We're happy to
19 let them go. They're gone
20 and we're going to be
21 sending out some RFPs to
22 move that forward and find
23 another PR firm. And in
24 discussions with the

41

1 participated. We had many
2 good attendants show up.
3 We had a couple hiccups
4 along the way that we were
5 able to get out in front
6 of and keep moving. And
7 we're happy to say that a
8 lot of that is all water
9 under the bridge now.

10 On the 9th we had
11 conversations with -- on
12 the 9th we had another, if
13 you would, public hearing
14 so to speak IDC with
15 Senator Klein and his
16 group of senators, the
17 Independent Democratic
18 Conference.

19 They put together --
20 through our advocacy, they
21 put together a packet
22 called Corrections Without
23 Protections. And it was
24 very well done. We had a

43

1 board, something local,
2 something that we can have
3 right at our fingertips.

4 May 1st, as you're all
5 aware, we had a rally at
6 the Capitol. About 470
7 participated, we had a
8 good theater. We had a
9 good showing of support.
10 We had many, many rally
11 cries, they were heard.
12 And you can't ask for a
13 better amphitheater than
14 the state capitol when you
15 start raising your voices.
16 And we were successful in
17 doing that and we had a
18 lot of positive feedback
19 regarding that. We
20 appreciate everybody who
21 participated in that.

22 The month of May kicked
23 off our Lobby Days. Those
24 were quite active, well

42

1 good showing in the
2 million dollar staircase
3 in the Capitol in the
4 northern region. We
5 filled the staircase up.
6 We had a lot of press
7 there. We didn't get
8 quite the bang for our
9 buck we wanted out of
10 there, but it was due to
11 circumstances that was
12 beyond our control at the
13 time.

14 But they support us,
15 they have our back and
16 we're continually in
17 constant conversations
18 with them. Also, at that
19 hearing, we had Elias
20 Husamudeen, who is the
21 President of the City
22 Corrections Benevolent
23 Association. We had Brian
24 Sullivan -- Alonzo,

44

1 West -- he's Westchester,
2 Brian Sullivan is Nassau
3 and Suffolk County that
4 were present at that press
5 conference.

6 We talked very openly
7 about a topic that is
8 redundant, I'm sure in
9 this room but it's very,
10 very important, that you
11 understand it and know it.
12 Janus versus AFSCME is
13 rolling in the courts, in
14 the Supreme Court.

15 It's in the infancy
16 stage, if you will, but
17 it's moving and it's vital
18 to our operations, to your
19 benefits, to your ability
20 to navigate in the work
21 place. It's huge. If
22 you're not familiar with
23 it, go to our website. We
24 got all the information

45

1 Supreme Court that will
2 support a decision that
3 comes out of Janus versus
4 AFSCME that is detrimental
5 to us.

6 If you recall
7 Friedrichs versus
8 California, that came back
9 to a four four tie due to
10 the passing of Judge
11 Scalia. So keep this in
12 the back of your mind and
13 inform your members, this
14 has a huge impact on all
15 of us. If you're not
16 familiar with it, reach
17 out to your board member,
18 reach out to us, go to the
19 website.

20 When you log into the
21 website, that's the first
22 thing you're going to see.
23 Click it, read it, we
24 inundate with articles

47

1 you need regarding Janus
2 versus AFSCME on the
3 website.

4 We have many people in
5 the field, business
6 agents, the whole board
7 and in lock step with
8 this. If you're paying
9 attention, you'll see
10 throughout the nation
11 there's a heavy right to
12 work push in a lot of
13 Republican controlled
14 state governments. And
15 with that comes
16 significant changes to our
17 operations, to our ability
18 to maneuver for our
19 ability to negotiate.

20 You got some senators
21 out there, some hard right
22 conservative senators out
23 there that are pushing
24 hard. And you now have a

46

1 that are happening across
2 the State for right to
3 work regarding Janus
4 versus AFSCME.

5 We'll soon be starting
6 a campaign regarding the
7 constitutional convention
8 that's coming up in
9 November. This isn't
10 something that can be
11 avoided. This is on the
12 ballot during election
13 time and it's a box you're
14 going to check off, yes or
15 no.

16 Constitutionally, this
17 constitutional convention
18 is to come out every
19 twenty years -- every
20 twenty years. We are on
21 that twentieth year and it
22 will be on the ballot. So
23 when you cast your ballot
24 this year, vote no for a

48

1 constitutional convention
2 because that fuels right
3 to work, Janus versus
4 AFSCME, and a lot of State
5 government.

6 Pension reform, pension
7 reform which is huge, very
8 huge. We all thrive for
9 our pensions. We all work
10 our asses off towards the
11 end of our careers for our
12 pensions to increase our
13 pensions. The
14 constitutional convention
15 if that would were to pass
16 and have something of that
17 magnitude to happen in the
18 state, I'm not suggesting
19 that it would, but in all
20 likelihood has the real
21 potential to be
22 detrimental.

23 We've got some things
24 coming down the road that

49

1 through.

2 We're going to be
3 starting this campaign.
4 We've got some nice index
5 cards now. You will be
6 seeing some other
7 propaganda coming out
8 NYSOPBA's headquarters
9 regarding everybody to
10 vote no. We're going to
11 inundate the state with
12 yard signs to suggest to
13 vote no for the
14 constitutional
15 conventional.

16 We're doing a lot of
17 good things and these are
18 things to protect our
19 benefits. The very
20 benefits that we work our
21 asses off for. The very
22 benefits that the
23 department takes for
24 granted that we've earned

51

1 you really need to pay
2 attention to, we focus on
3 continually. There's not
4 a whole lot we can do. We
5 need to prepare. That's
6 what we do. The treasury
7 is preparing, I don't
8 think he's complete yet,
9 but obviously our budget
10 will look entirely
11 different.

12 Many of the benefits,
13 the multitude of benefits
14 that NYSOPBA gives to its
15 members would be
16 significantly impacted.
17 Potentially the retirement
18 benefit, the dental, the
19 eye, much of what you're
20 afforded, scholarships.
21 You know, a lot of these
22 things can have a huge
23 impact if some of this
24 stuff were to come

50

1 that they can't fucking
2 provide for us, but we
3 can. That's what is
4 important and that's what
5 we need to focus.

6 UNIDENTIFIED SPEAKER:
7 Are there other unions
8 that will help us?

9 PRESIDENT POWERS: Many
10 of the unions -- there's
11 propaganda out from a lot
12 of the unions. One of our
13 positions is, and some of
14 the right to work states,
15 law enforcement gets a
16 little bit of a different
17 look when it comes down to
18 union activity and the
19 benefits and the dues and
20 whatnot.

21 So we're kind of
22 focusing our push right
23 now with a lot of the
24 other law enforcement

52

1 unions with the State.
 2 And we've got a very much
 3 open line, Gordie Warnock
 4 from the State Police who
 5 is very effective in
 6 legislative work, along
 7 with Dan Sisto,
 8 unfortunately Dan is
 9 leaving the State at the
 10 end of this week as far as
 11 an advocate. But he's --
 12 he will be in the back
 13 wings and obviously we'll
 14 be up doing our due
 15 diligence as well. We're
 16 in constant communication.
 17 COPA, the City
 18 Corrections, many of the
 19 County Corrections, the
 20 larger county corrections.
 21 I'd like to reach out to
 22 Onondaga and Monroe at
 23 some point in the very
 24 near future, probably the

53

1 next week, week and a
 2 half. These are our
 3 pushes. Erie County, some
 4 of the larger metropolitan
 5 areas that have larger
 6 active county correctional
 7 facilities.
 8 So, as I mentioned we
 9 jumped into the month of
 10 May. Very successful
 11 Lobby Days. We have had
 12 some successes regarding
 13 some disciplinary aspects.
 14 On June 6th, I'm sorry,
 15 the Youth of the Year Boys
 16 and Girls Club event that
 17 we normally are one of the
 18 main sponsors for was held
 19 on May 22nd.
 20 It was a well attended
 21 event. It's a great
 22 program. It's a good PR
 23 for NYSCOPBA. It shows
 24 that we're out there,

54

1 getting the troubled
 2 youth, pushing them into
 3 the right direction for
 4 getting into clubs and
 5 programs that help them
 6 thrive, in other words,
 7 difficult situations for
 8 some.

9 Following up on Doug
 10 Westervelt request and Al
 11 Mothershed, we're pushing
 12 for some holding pens in
 13 the SHUs. That
 14 conversation is still
 15 ongoing. I believe
 16 Wyoming has already been
 17 approved. If you have any
 18 hiccups with that, let me
 19 know.

20 Dealt with some issues
 21 with Clarence down in Sing
 22 Sing regarding an incident
 23 with a disgruntled
 24 employee over some

55

1 Workers' Comp issue. We
 2 stayed on top of that
 3 quite heavily and we moved
 4 through that. The
 5 Department through our
 6 advocacy took on some
 7 different circumstances
 8 and we were allowed to ask
 9 for some additional
 10 securities.

11 There was some threats
 12 made against some
 13 employees. We don't
 14 believe it to be anything
 15 now, but it's water under
 16 the bridge. We pushed to
 17 have some extra security
 18 details and Clarence and I
 19 worked on that. The 26th,
 20 unfortunately I was unable
 21 to make the Elmira
 22 Memorial that was on the
 23 26th of May.

24 First part of May,

56

1 we -- I'm sorry, first
 2 part of June we attended
 3 the Signal 30 event with
 4 State Troopers. They were
 5 appreciative of our
 6 support. Their Signal 30
 7 is their foundation, which
 8 is -- there's is a
 9 separate entity from their
 10 union coffers. If you're
 11 not familiar with it,
 12 Signal 30 is a program
 13 where they offer
 14 scholarships and they help
 15 individuals with home
 16 fires or members with home
 17 fires and devastating
 18 circumstances.

19 That was on the 1st.
 20 Again, the regional Lobby
 21 Day on the 6th. I had a
 22 meeting with Deputy
 23 Commissioner Marcello on
 24 the 6th. Through my

57

1 our concerns over the poor
 2 morale in the state. The
 3 difficult circumstances
 4 which we work. The
 5 constant and ever changing
 6 landscape that the
 7 department is doing
 8 towards our members.
 9 Expecting us to do
 10 continually more with
 11 less, the fact that we
 12 can't physically do in a
 13 day the many procedures
 14 that they insist to get
 15 done in a day.

16 We constantly argue
 17 that. We're still waiting
 18 on the injunction with the
 19 clear plastic bag. Hoping
 20 to hear something on that
 21 any time now. I attended
 22 the court hearing, I
 23 thought it went well.
 24 PERB is taking our back on

59

1 insistence, most of the
 2 issues happening across
 3 the state which are
 4 beyond -- just beyond
 5 belief at this point, you
 6 know, we conveyed much of
 7 what we're hearing from
 8 the field, as far as the
 9 morale of the NYCLU
 10 settlement, the
 11 disciplinary aspects. The
 12 constant and ever charging
 13 fucking changes that keep
 14 coming and coming and
 15 coming.

16 And every time we meet
 17 with them, what's next?
 18 Oh, I don't know. Couple
 19 days later I get hit with
 20 six revised staffing
 21 reviews. So I met with
 22 Deputy Commissioner
 23 Marcello on the 6th,
 24 face-to-face. And voiced

58

1 this with the injection
 2 and we're hoping to see
 3 some movement on that
 4 shortly.

5 If you remember the
 6 injunction is to have them
 7 to stop us from having to
 8 bring it in once they make
 9 a decision. So keep your
 10 fingers crossed that we
 11 come up with a favorable
 12 decision with that. The
 13 IP for the clear plastic
 14 bag, the actual IP is
 15 actually the end of the
 16 month.

17 BILL SHEEHAN: I
 18 believe it's August.

19 PRESIDENT POWERS:
 20 What's at the end of the
 21 month?

22 BILL SHEEHAN: Well,
 23 we're waiting for the
 24 decision.

60

1 PRESIDENT POWERS: So
2 that's where we're at with
3 that. We also spoke or I
4 also spoke to the Deputy
5 Commissioner regarding a
6 couple issues, one in Mid
7 Hudson, one in the west,
8 regarding arbitration
9 decisions that had come
10 down. Where one of our
11 members that came back to
12 duty and the department
13 puts a stop on it.

14 The arbitrator rules,
15 the individual is allowed
16 to come back to work, back
17 full pay, back benefits,
18 back time, the whole nine
19 yards; and the department
20 stalls and says, well,
21 we're weighing our
22 options. We're
23 continually talking about
24 that. You can't have it

61

1 rectify their misnomer in
2 the fact that they claim
3 their were half truths
4 disseminated by NYSCOPBA.
5 They didn't mention us by
6 name, but obviously we
7 didn't line up the CSEA
8 and the other bargaining
9 units, so it was pretty
10 easy to see who they were
11 pointing the finger at.

12 So we addressed that
13 and we filed an IP on
14 that, an improper practice
15 on that. The Governor's
16 Office response to settle
17 the meeting was once the
18 details of the IP are
19 finalized and a decision
20 is made, we'll be getting
21 together and having a
22 meeting.

23 Many instances, a lot
24 of problems in our

63

1 both ways. When they
2 terminate us, they don't
3 weigh their options then,
4 but they're sure to weigh
5 their options when we win
6 the case.

7 So we're continuing
8 to -- eventually we sent a
9 letter over regarding the
10 memo that came out from
11 Acting Commissioner
12 Annucci over to Rachel
13 Small. You're all
14 familiar with the letter
15 that came out from Annucci
16 regarding the alleged
17 violations of the Taylor
18 Law.

19 We adamantly pushed
20 back real strong on that.
21 And ultimately we sent a
22 letter to the second floor
23 to meet with the Governor
24 to rectify the problem;

62

1 facilities, as we are
2 aware. I'll talk about
3 that shortly at the end.
4 On June 14th the memorial
5 wall was complete here in
6 Albany. Go take a look at
7 the memorial wall. They
8 did a fantastic job
9 putting that together.

10 There's some pictures
11 on the website. It's a
12 true monument to the
13 brothers and sisters who
14 have passed in the field,
15 performing their duties.
16 It's a wonderful,
17 beautiful, surrounding
18 area that is very well
19 done.

20 And, you know, we were
21 fortunate in the early
22 strokes when I became
23 president, the Memorandum
24 of Understanding was

64

1 already in place for the
2 memorial wall. We were
3 able to -- I believe it
4 was three hundred thousand
5 that was initially enacted
6 for that monument. And in
7 our push as construction
8 started, and we started to
9 address the site, we were
10 able to secure another a
11 hundred and sixty-five
12 thousand.

13 So you've got a pretty
14 good chunk of property
15 over there that's
16 dedicated to the
17 correction officers and
18 the correction officers
19 memorial wall. So if
20 you're ever in Albany, by
21 all means, get over there
22 and take a look at it.
23 It's a really slamming
24 piece of work that they

65

1 of two correction officers
2 involved in transport.

3 I was in constant
4 contact with the sheriff
5 down there. We offered up
6 some assistance while
7 these two guys were on the
8 lam. We had some good
9 communication. He sends
10 his deepest, southern
11 blessings to all the
12 members of NYSCOPBA for
13 showing that amount of
14 support. And that's
15 exactly how he put it.

16 He said from the
17 southern hospitality, I
18 extend all my greatest
19 appreciation from all our
20 law enforcement brothers
21 in Georgia to all your
22 members at NYSCOPBA. So
23 I'd be remiss if I didn't
24 tell you about that.

67

1 did.

2 And it's a true
3 monument to the many
4 brothers and sisters that
5 have lost their lives in
6 the line of duty. By all
7 means, if you get a
8 chance, get over there and
9 take a look at it. The
10 medal ceremonies, I
11 believe Auburn was the
12 recipients for the medal
13 ceremony in Albany that
14 afternoon.

15 It was a good day. It
16 was a good day to honor
17 our brothers and sisters
18 for acts of heroism, much
19 like we did this morning.
20 Later on that day I also
21 spoke with -- we're well
22 aware of the situation
23 that happened down in
24 Georgia with the killing

66

1 Monday the 19th, Death
2 Gamble Bill on the 21st,
3 the Assembly late in the
4 evening got that passed
5 through. So we were
6 able to -- again, we were
7 successful in getting that
8 done. We got another big
9 hurdle in front of us and
10 as I mentioned, and I'll
11 be asking for it, you'll
12 see it more and more and
13 hear it more and more.

14 We're going to need
15 your support, we're going
16 to need your help getting
17 that done. So that pretty
18 much concludes, other than
19 the amount of activity in
20 our facilities. A lot of
21 contraband that's been
22 caught do to due diligence
23 of our staff.

24 Unfortunately, we've

68

1 run into some more housing
2 unit consolidations; one
3 in Wyoming, couple up in
4 Bare Hill. In discussions
5 with the Department, the
6 package room distribution
7 center is to be coming
8 online in September.
9 They're going to be
10 looking to implement it.

11 They ran into some
12 hiccups they didn't
13 anticipate. They thought
14 they would probably be
15 able to get away with just
16 a couple of vendors, to
17 have just a couple vendors
18 do this, but it turns out
19 through the security
20 protocols, many of the
21 policies and directives
22 the Department has, they
23 had to go with seven. So
24 they're still vetting the

69

1 and concerns forward, and
2 we'll push them forward.
3 Anybody got anything for
4 me? Thank you. Tammy?

5 Oh, I'm sorry. Keith
6 is going to give you a
7 brief, quick rundown on
8 the legislative run down.

9 KEITH JACQUES: Good
10 afternoon everybody. As
11 President Powers
12 indicated, the I guess the
13 biggest legislative
14 victory at least in terms
15 of corrections was the
16 passage of the Death
17 Gamble Bill. That is a
18 bill we've been promoting
19 and pushing for several
20 years.

21 It did not look good
22 during the last week of
23 session. The Senate was
24 ready to pass the bill, we

71

1 process and it's taken
2 longer than anticipated.

3 And we're all quite
4 familiar how inept they
5 are in their management
6 skills. So with that,
7 that's kind of going
8 forward. Assaults are
9 conditioning.

10 Auburn, Clinton, Five
11 Points had a multitude of
12 them in May; couple in the
13 first part of June.
14 Gowanda, Green Haven,
15 Kirby, the ISOs in
16 Rochester, Marcy, Mid
17 State, Mid Hudson,
18 Rockland and Wende.

19 So keep all that
20 information coming in.
21 And by all means, stay
22 safe and, you know, we'll
23 continue to push. Keep
24 bringing the information

70

1 heard all kinds of
2 push-back from the
3 assembly relative to cost.
4 There was some concerns
5 about the fact that we had
6 a five year subset put
7 into the bill that they
8 had never seen.

9 And at the end of the
10 day when we had pretty
11 good meetings with
12 attorneys that worked for
13 the speaker, we explained
14 to the speaker, you know,
15 either you're going to be
16 supportive of labor and
17 stand behind NYSOPBA, or
18 you're going to be seen as
19 the house that doesn't
20 support labor.

21 And I think he didn't
22 want to have that on his
23 drawer. They were a
24 little bit concerned, you

72

1 know, about the cost of
2 the bill, which is
3 \$13,700,000. We also had
4 some very frank
5 conversations with him and
6 his staff about the fact
7 the bill is being carried
8 by a relatively marginal
9 member of the Assembly,
10 meaning somebody who just
11 barely won the last time.

12 And I explained to him
13 if this bill is not passed
14 in the Assembly again this
15 year, because it passed
16 the Senate the year
17 before, that NYSCOPBAs
18 members are going to be
19 very angry. They're not
20 going to be angry at
21 Senator Pat Richie. She
22 fought very hard for the
23 bill. The Executive Board
24 and us and Dan Valente did

73

1 are going to put together
2 a plan to press on and
3 hopefully have the
4 Governor sign this bill.

5 The other bill that
6 passed both houses that
7 was a NYSCOPBA specific
8 bill, was the bill that
9 provided additional
10 military leave days for
11 combat vets. Treasurer
12 Viddivo was very
13 instrumental in getting
14 this developed a few years
15 ago. I think it might
16 have been your concept.

17 We drafted the bill,
18 got it introduced through
19 Senator Croci and
20 Assemblywoman Pollmon.
21 And the bill has passed
22 both houses of the
23 legislation this year. So
24 any veteran with combat

75

1 a lot of pulling members
2 aside during the last week
3 in session, and asking
4 them to go to the speaker,
5 voice your support for
6 this proposal.

7 And we were fortunate
8 to have it pass both
9 houses. So that bill is
10 waiting delivery to the
11 Governor's house. Two
12 years ago we started
13 having discussions with
14 the second floor about
15 retention problems. About
16 the need to keep senior
17 correctional officers
18 around to help train
19 younger men and women that
20 come into the facilities.

21 And so, the second
22 floor is already aware of
23 the need for this
24 legislation. Obviously we

74

1 experience will be
2 entitled to additional
3 eight military leave days
4 to utilize those days for
5 mental health counseling,
6 any type of counseling or
7 additional services that
8 the individual needs.

9 But again, that was
10 NYSCOPBA's idea, it's
11 NYSCOPBA legislation. And
12 obviously that's a
13 important bill, not just
14 for NYSCOPBA's members but
15 all members of the
16 military with combat
17 experience.

18 As much time as we
19 spent on the hill
20 advocating for Death
21 Gamble, we spent the same
22 amount of time advocating
23 for some of the law
24 enforcement bills;

76

1 including the SSO
 2 twenty-four hour peace
 3 officer status. As well
 4 as a new bill that I'll
 5 explain for the SHTAs.
 6 But at the end of the
 7 day, in a meeting with
 8 counsel to the speaker on
 9 the SSO twenty-four hour
 10 peace officer status bill,
 11 you know, the individual
 12 attorneys that we spoke to
 13 said, off the record, we
 14 agree with you, we
 15 understand your arguments,
 16 makes total sense. In
 17 light of everything that's
 18 going on in the world,
 19 terrorist attacks around,
 20 why do you not want to
 21 have more law enforcement
 22 officers or greater law
 23 enforcement presence in
 24 the communities.

77

1 new bill for law
 2 enforcement is a bill that
 3 would exclude the four
 4 forensic institutions from
 5 the oversight of the
 6 justice center. We
 7 explained to both the
 8 Senate and the Assembly
 9 that this is a huge
 10 problem. That the justice
 11 center shouldn't be
 12 involved in the affairs of
 13 these four forensic
 14 institutions. There's
 15 plenty of oversight.
 16 This is something that
 17 VP Harmon has been harping
 18 on for months. You got to
 19 get the justice center out
 20 of the forensics; it's not
 21 fair that they're there.
 22 We couldn't get the
 23 Assembly to sponsor it,
 24 they were a little bit gun

79

1 The problem is that the
 2 people at the top of the
 3 food chain in the
 4 Assembly, the speaker,
 5 they're not supportive of
 6 expanding or adding to the
 7 current number of peace
 8 officers in New York
 9 State.
 10 I think next year, and
 11 I have already spoken to
 12 President Powers and the
 13 board about this. I think
 14 we need to sort of analyze
 15 who we're utilizing as our
 16 sponsors to this bill.
 17 The sponsors that may have
 18 made sense in legislation
 19 a few years ago, don't
 20 necessarily make the same
 21 amount of sense for these
 22 types of bills moving
 23 forward.
 24 The other relatively

78

1 shy because it's a very
 2 novel concept.
 3 A woman that I know
 4 that I used to work with
 5 years ago that is one of
 6 the top people in the
 7 justice center saw the
 8 bill get introduced,
 9 called me on the phone and
 10 said, what is this about,
 11 what is going on?
 12 And I said, we have
 13 real problems. Your
 14 agencies is creating
 15 significant problems for
 16 my client, for certain
 17 members of our
 18 organization; and it's a
 19 problem and we're going to
 20 try to fix it
 21 legislatively.
 22 She said I would say
 23 really like to have a sit
 24 down with your leadership,

80

1 VP Harmon and President
2 Powers, and try and
3 address some of these
4 issues outside of
5 legislation. Sometimes
6 folks that's, a bill
7 introduction in and of
8 itself, can have a impact
9 on a situation.

10 So within the next few
11 weeks probably, we're
12 going to sit down with the
13 justice center and try to
14 hammer out of some our
15 concerns. It's four
16 forensic facilities and
17 everybody that works
18 there. Do you have any
19 questions before I get
20 into this?

21 Okay. Some of the
22 other bills that we worked
23 on, notice of penal
24 legislation, that bill was

81

1 the bill, Senator Akshar
2 and Peter Abadi and said,
3 you know, we can't support
4 this in its original form
5 because you're removing
6 the vast majority of our
7 membership to the bill.
8 They agreed to amend the
9 bill so that the acts of
10 an inmate committing
11 intentionally assaults an
12 officer, because of that
13 officer's law enforcement
14 status, that would be
15 deemed a hate crime.

16 That bill passed the
17 Senate. Again, like many
18 bills that would create
19 new penalties. It did not
20 pass the assembly. PTSD
21 Workers' Compensation
22 coverage. We talked about
23 this several months ago.
24 As part of the executive

83

1 mandated by this body to
2 be a priority for NYSCOPBA
3 for the 2017 session. I
4 believe it was six or
5 seven months ago that you
6 guys said, make it a
7 priority. We did. That
8 bill passed the Senate.
9 It did not pass the
10 Assembly.

11 The Community Heros
12 Protection Act. That's
13 the hate crime legislation
14 that would make it a hate
15 crime for anybody to
16 intentionally assault a
17 law enforcement officer.
18 The original version of
19 that bill did not include
20 the actions of an inmate
21 in a correctional
22 facility.

23 We voiced our concern
24 to the primary sponsors of

82

1 budget there was one added
2 on the last day, it was a
3 Friday night.

4 I actually found out
5 about it Friday night, I
6 had conversations with the
7 Senate on Saturday morning
8 about this. There was
9 language added to the
10 budget this year that
11 would allow police
12 officers and firefighters
13 to receive Workers' Comp
14 coverage for mental injury
15 for PTSD issues.

16 The Senate IDC had
17 agreed to draft a specific
18 bill for corrections and
19 include corrections within
20 that coverage. That bill
21 did not pass both houses
22 this year. But the IDC
23 has already indicated that
24 they will put it in the

84

1 executive budget during
2 the next budget cycle.
3 There were a lot of
4 issues left off the table
5 here as the legislature
6 was trying to wrap up.
7 There was fighting going
8 on between the Governor
9 and the Assembly and the
10 Senate, who is going to
11 control schools. A lot of
12 issues as a result of the
13 fighting that's going on.
14 The Senate just decided to
15 shut down and the Assembly
16 followed suit shortly
17 thereafter.
18 So there was a lot of
19 things left on the table
20 that needed to be
21 addressed. Now, the
22 legislature is actually
23 coming back today to deal
24 well a very limited number

85

1 enforcement generally.
2 That's what we're dealing
3 with. But there are some
4 up and coming young
5 Democrats who aren't
6 necessarily in New York
7 City here that are
8 actually starting to speak
9 up and actually starting
10 to take an aggressive
11 approach with the speaker.
12 Because these are the
13 folks that supported Joe
14 Morelle over Carl Heastie
15 when there was a fight for
16 the speaker position.
17 So I think we need to
18 start targeting, we
19 already started having
20 conversations, you know,
21 about them getting more
22 involved in NYSCOPBA's
23 issues. And I think that
24 will help us as we try to

87

1 of issues; one being
2 mayoral control over New
3 York City schools.
4 But I do think there's
5 opportunity for NYSCOPBA
6 during the next
7 legislative session, maybe
8 at the end of this year
9 when they come back again
10 to address some of the
11 issues that we had left
12 off the table. But the
13 reality so everyone knows
14 in this room, the Senate
15 Republicans, they walk
16 with law enforcement.
17 They take our back.
18 They're very supportive of
19 us.
20 Most of our bills
21 passed the Senate this
22 year, not many passed the
23 assembly. It's not just
24 NYSCOPBA, it's law

86

1 sort of work around the
2 influences of downstate
3 democrats that seem to
4 control everything that is
5 going on the Assembly.
6 Questions about
7 anything here, about Janus
8 versus AFSCME?
9 Constitutional
10 conventional that
11 President Powers brought
12 up? Yes, sir?
13 DON MOLINO: Don
14 Molino, Albion. Is there
15 anything we can do legally
16 with legislation for Janus
17 versus AFSCME?
18 KEITH JACQUES: There's
19 nothing we can do other
20 than, you know, follow
21 what's going on, which our
22 attorneys are doing. You
23 know, if a decision comes
24 down, there is going to be

88

1 an impact across the
2 country. The question is
3 how significant is that
4 impact going to be.

5 Does everyone
6 understand worst case
7 scenario with Janus?
8 Where unions will not just
9 be able to automatically
10 collect the dues
11 deductions from their
12 employees that want to be
13 part of the organization?
14 NYSCOPBA will have to go
15 out and actually find a
16 way to get the members to
17 join the union.

18 That's what we're
19 talking about. Now, the
20 Senate IDC, the Senate
21 Republican, it's
22 interesting because
23 nationwide the Republicans
24 are not really with unions

89

1 on the floor and it was
2 one of these bills that
3 fell off the table as a
4 result of infighting that
5 was going on. But I think
6 that has a chance of
7 passing and getting
8 signed.

9 Believe it or not, the
10 government in New York,
11 they don't want to weaken
12 unions. Generally, the
13 Assembly is very close to
14 CSEA, they're very
15 supportive of unions.
16 They're just not very law
17 enforcement friendly. And
18 NYSCOPBA is a big union,
19 we have a lot of friends
20 in the legislature.

21 So, within New York,
22 there's not really so much
23 of a sense that we got to
24 do away with unions but

91

1 but they're very
2 supportive of law
3 enforcement because the
4 law enforcement unions in
5 New York are so strong;
6 they're supportive of
7 unions generally.

8 They work -- the IDC
9 specifically already
10 started to put together
11 some proposals, there was
12 a bill they put together
13 this year, that would
14 streamline the process of
15 members joining unions.
16 It would create a uniform
17 process for all employers
18 throughout the state to
19 ensure that members join
20 the respective unions of
21 the employer.

22 That bill did not pass
23 both houses. It actually
24 passed the Assembly, sat

90

1 this Janus case could have
2 an impact nationwide. And
3 NYSCOPBA needs to be
4 prepared. We need to
5 start affirmatively
6 getting the word out to
7 your members.

8 The people sitting in
9 this room, to the extent
10 that you have officers
11 that work in your jails or
12 your facilities that don't
13 understand what it means
14 to be a member of
15 NYSCOPBA, and what type of
16 benefits NYSCOPBA members
17 get, because the benefits
18 you all provide to your
19 members far surpass what
20 any other union members in
21 the state get.

22 If you saw the list,
23 it's unbelievable. Those
24 are the types of benefits

92

1 that would be lost if the
2 member chooses not to be a
3 part of the union. I
4 think we need to start
5 letting members know this
6 is what it means to be a
7 union member, this is what
8 it means to be a member of
9 NYSOPBA. These are the
10 benefits you get. And if
11 you're not a member of
12 NYSOPBA, this is what it
13 would look like for you.

14 You got to start
15 getting the word out there
16 now. We don't know what
17 Janus holds. We don't
18 have the ability to
19 control it. I know the
20 board, the VPs have been
21 working their tails off to
22 try and get the word out
23 and address the issue.
24 But we're going to have to

93

1 the age initiative, slid
2 into the budget was
3 language that would allow
4 or require random drug
5 testing for the employees
6 that work in these
7 adolescent offender
8 facilities.

9 We've already started
10 trying to get the language
11 incorporated in to next
12 years budget that would
13 make drug testing for
14 employees at adolescent
15 offender facilities,
16 consistent with the drug
17 testing of employees in
18 other correctional
19 facilities. In other
20 words, the standard would
21 be the same.

22 Both the Senate and the
23 Assembly, Republicans, the
24 IDC are trying to get this

95

1 communicate it to as many
2 members as we can during
3 the next several months.

4 Questions about the
5 legislative session? We
6 found out this week
7 that -- everyone is aware
8 there's going to be
9 adolescent offender
10 facilities created as a
11 result of raise the age.

12 This week they decided
13 Hudson is officially going
14 to be one of those
15 facilities. These
16 facilities don't take
17 affect until October of
18 2018. From what we're
19 hearing there's going to
20 be at least two other ones
21 on top of Hudson.

22 You guys should be
23 aware that as part of the
24 executive budget and raise

94

1 done. They recognize it's
2 a good thing to do, in
3 terms of trying to get
4 something enacted into
5 next year's budget.
6 Questions?

7
8 (No response.)
9

10 PRESIDENT POWERS:
11 Executive vice president?
12 EXECUTIVE VP SAWCHUK:
13 Good afternoon. Just some
14 housekeeping things from
15 the last EA. Eastern had
16 brought to my attention
17 there was a shortage of
18 female shirts. Calls were
19 made to the Albany
20 Training Academy, also
21 Andy Orcott. A very stern
22 letter went out to
23 Corcraft itself. And as a
24 result, that situation has

96

1 been rectified and it was
2 rectified rather quickly.
3 So I don't think we are
4 going to have any more
5 issues with that.

6 Like I said, I attended
7 the Memorial on 5/15, the
8 Law Enforcement Memorial
9 up in Lake George, I
10 participated in that on
11 5/19. On 5/22, this is
12 the third year in a row I
13 got to be part of the Boys
14 and Girls Club Youth of
15 the Year Award. Like I
16 said in previous years,
17 this is -- NYSOPBA is a
18 big supporter of the Boys
19 and Girls Club. These
20 young people are -- they
21 face adversity. The young
22 lady that won was out of
23 the Bronx and believe me
24 she was very impressive.

97

1 survival and opiate K2
2 epidemic in the
3 State of New York.

4 That training I would
5 love to bring to this
6 Executive Assembly in
7 September hopefully. Half
8 of the survival was done
9 by someone out of the CIU
10 office by the name of
11 Demo, which was
12 outstanding; it truly was.
13 I have never had training
14 like that in my
15 twenty-three years in
16 corrections.

17 If anybody gets to put
18 in for CIU training or if
19 we can get some of that
20 sort of training brought
21 into our regular annual
22 training, it would be
23 great to do so. And I'm
24 going to reach out to them

99

1 I wish her the best of
2 luck.

3 On June 6th I attended
4 a fundraiser for Billy
5 Jones. Keith Jacques had
6 mentioned up and coming
7 young Assembly men and
8 women, Billy Jones is one
9 of them out of the north
10 country. He is a
11 correction officer out of
12 Bare Hill. Looking
13 forward to working with
14 him in the next session.

15 On June 8th, I had an
16 invitation to tour Moriah
17 Shock with Frank Gilbo.
18 That was the first time I
19 was at a shock
20 incarceration camp and
21 that was quite the eye
22 opener. July 9th I
23 attended a seminar in
24 Plattsburg for active

98

1 for that. The second
2 piece, the opiate epidemic
3 and the K2 epidemic in the
4 State of New York, which
5 was done by two uncover
6 State Troopers from the
7 Page Unit. I can't speak
8 their names because they
9 don't want that or do that
10 after a seminar. I can
11 tell you this, if you walk
12 past them in the street,
13 you would think they were
14 junkies. You would never
15 know.

16 It was pretty amazing
17 training, a lot of
18 surveillance video. A lot
19 of video as far as
20 arrests, undercover work,
21 how K2 is processed, how
22 they make it, how they
23 make millions off it, how
24 they're getting it into

100

1 correctional facilities.
2 I'm working with them
3 hopefully, if their
4 schedule allows, maybe we
5 can get them out here for
6 the September EA.

7 Like Mike said, June
8 14th, we laid a wreath at
9 the memorial wall. If do
10 you get the opportunity to
11 go there, please do, they
12 did a great job, OGS.

13 Maybe some don't know, but
14 they tried to put parole
15 and divide corrections.
16 We fought that, we would
17 not allow that to happen
18 and we won and we have our
19 place.

20 We had a problem with a
21 back pay award out of
22 Shawangunk. I talked to
23 Marasco and Zappala
24 earlier. That issue has

101

1 Morrow in regards to what
2 President Powers brought
3 up earlier, the facilities
4 that they're going to be
5 taking items back.
6 (Inaudible comment.) As
7 Mike mentioned in his
8 report, two pilot problems
9 that start in September of
10 this year, that will be
11 Taconic, Green and Green
12 Haven.

13 Also, I received
14 numerous complaints about
15 a photo that was on the
16 DOCCS website on Friday.
17 The photo, if you haven't
18 seen it, had something to
19 do with umpiring or
20 umpiring games at
21 recreation centers. And
22 in that photo one of the
23 inmates was throwing a
24 gang sign; one of the

103

1 been resolved and Officer
2 who was terminated will be
3 receiving his back pay
4 award on July 6th.

5 Clear bags, Nathaniel
6 Vevone was here last time.
7 We sent the clear bags
8 out. Nathaniel had
9 suggested that we first
10 reach out to Cornell,
11 because Cornell does it
12 for little cost or no cost
13 at all. Unfortunately,
14 Cornell was not able to
15 help us with what we
16 wanted and the type of
17 testing we wanted on the
18 bags. So the bag did go
19 out to Aberdeen and we
20 should have a result back
21 from them early in July.

22 I attended several
23 staff meetings and
24 discussions with Mike

102

1 inmates was throwing a
2 gang sign.

3 I immediately sent an
4 e-mail out to Dan Marcello
5 and he e-mailed me back,
6 photo removed; so that was
7 taken care of. Suicides,
8 Mike Mazzella had reached
9 out to the Board and
10 wanted to know if there
11 was any study, data,
12 statistics on suicides
13 with our members.

14 I sent a letter to
15 Acting Commissioner
16 Anthony Annucci regarding
17 suicide statistics.
18 Hopefully he'll get back
19 to me shortly to see if
20 there is anything that he
21 can provide or point me in
22 the right direction so we
23 can obtain that
24 information to see what

104

1 the trends are.
 2 Basically that's all I
 3 have, if you have any
 4 questions? And I'd like
 5 to thank everyone who sent
 6 flowers, cards, texts,
 7 e-mails and unwavering
 8 support to me and my
 9 family in a very difficult
 10 time. Thank you.

11 PRESIDENT POWERS:
 12 Treasurer's report?

13 TREASURER VIDDIVO:
 14 Good afternoon. You guys
 15 should have the financials
 16 in your packets. I'll go
 17 over those quick. For the
 18 month of May. Total
 19 income, one million, one
 20 hundred sixty-one
 21 thousand, five hundred
 22 ninety-one dollars and
 23 ninety-two cents.

24 Expenses, one million,

1 Legal Defense Fund.
 2 Paid out fifteen thousand,
 3 eight hundred twelve
 4 dollars and ninety cents.
 5 Current balance, one
 6 million, thirteen
 7 thousand, four hundred
 8 eighty-nine dollars and
 9 fifty-two cents. Once
 10 again, I have given you
 11 the names within this
 12 packet. Keep that
 13 confidential for your own
 14 viewing pleasure. Do not
 15 share that with the
 16 facilities, if you would.
 17 Thank you.

18 Currently, ten point
 19 nine six million. I know
 20 there's been some rumors
 21 on Facebook that we're
 22 broke, we're bankrupt. We
 23 do have ten point nine six
 24 million.

1 four hundred seventy-nine
 2 thousand, forty-three
 3 dollars and fifty-eight
 4 cents. Unfortunately in
 5 the red, three hundred
 6 seventeen thousand, four
 7 hundred fifty dollars for
 8 the month of May.

9 Rainy Day Fund. We
 10 paid out \$97,450.
 11 Currently at twenty
 12 thousand dollar balance in
 13 the Norvest account. We
 14 will be making a deposit
 15 tomorrow for eighty-six so
 16 that will be bring it up
 17 to a hundred six thousand.
 18 And there's a hundred and
 19 twenty-eight thousand in a
 20 Key Bank account. So, a
 21 total of approximately
 22 three hundred thousand
 23 dollars in the Rainy Day
 24 Fund.

1 Our pension plan audit
 2 for the NEA, that has been
 3 ongoing for the last
 4 several months. We
 5 finally received a clean
 6 bill of health from the
 7 IRS last week, so that
 8 audit has been completed.
 9 The NEA pension is safe
 10 and sound. And there's
 11 only a couple of technical
 12 things they asked us to
 13 change. We have done so
 14 and we're good to go on
 15 that.

16 The NYSCOPBA annual
 17 audit has been completed,
 18 but I have not received
 19 the final paperwork from
 20 Whittenmore, Downen and
 21 Ricciardelli. I'll have
 22 to give you those numbers
 23 in September. But,
 24 currently, assets of

1 NYSOPBA approximately
2 thirteen million dollars,
3 which includes real
4 property.

5 We got a notice from
6 Blue Shield they may be
7 trying to increase our NEA
8 health insurance plan by
9 eight percent. That is
10 not been decided yet, but
11 there was a request by
12 Blue Shield for that.
13 We'll keep you up to date
14 on that. No increase on
15 the dental plan, that's
16 staying status quo.

17 If you guys don't know
18 I, don't know if we
19 brought it up at the last
20 Executive Assembly, Sue
21 Cunningham our Comp and
22 health and safety
23 specialist is leaving us
24 unfortunately, retiring,

109

1 Steph. All in favor of
2 going off the record
3 signify by saying aye?

4
5 (All respond with aye.)

6
7 (Off the record
8 discussion.)

9
10 TREASURER VIDDIVO: Go
11 back on the record. Just
12 some housekeeping stuff I
13 want to touch base on.
14 Since the last EA when I
15 gave everyone the kudos
16 for getting our documents
17 up to zero dollars, we're
18 back up to about forty
19 thousand, it doesn't take
20 long. I love you guys.

21 So, what you did prior
22 to the last EA to get it
23 down to zero, let's get
24 that done again. Get the

111

1 which is good for her of
2 course, unfortunate for
3 us. July 7th is her last
4 day.

5 I'd like to take an
6 opportunity to thank Sue
7 for everything you have
8 done for us over the last
9 four years.

10
11 (All applause.)

12
13 TREASURER VIDDIVO:
14 Unfortunately we had to
15 put an advertisement in
16 the paper to get someone
17 to replace Sue. We've
18 received, I believe, five
19 resumes so far. And we're
20 going to be looking at
21 those shortly to fill that
22 position.

23 I'm going to go off the
24 record for a minute,

110

1 documents in. Believe it
2 or not, forty thousand is
3 not awful, but I like zero
4 better than forty
5 thousand, as far as
6 documentation.

7 Local meetings you guys
8 are starting to creep up
9 again. Spending a little
10 big bucks on local
11 meetings. Just, you know,
12 be conscious of it.
13 Instead of getting one
14 pizza per person, maybe
15 get a couple slices per
16 person, that might cut it
17 down a little bit.

18 Same with lock-downs.
19 I don't know if you're
20 feeding the facility and
21 the surrounding
22 neighborhoods, but you got
23 to come down on that too.
24 I don't know how, if

112

1 you're buying pizza, you
2 can spend four thousand
3 dollars. I don't know how
4 you do that. Just once
5 again, be cognizant of
6 what you're spending.

7 I mean, two slices, not
8 a whole pie per person,
9 let's get to that. Quill,
10 you guys are getting
11 better, only about ten of
12 you left in the room who
13 haven't set up your Quill
14 account for your monthly
15 supplies. It's been about
16 five months now, so those
17 last ten people get on
18 board unless you don't use
19 supplies; which is fine
20 too. But get on board,
21 get your Quill account set
22 up.

23 E-mails, I set up you
24 guys up with NYSCOPBA

113

1 I would think and then we
2 can expand on that maybe
3 down the road.

4 Let's see. Wrist band
5 money, if you haven't
6 given it to me today, if
7 you brought some, bring it
8 on up. We -- it's looking
9 like, I didn't count the
10 money that's behind me
11 right now, but from the
12 numbers on the envelopes
13 what you guys yelled out
14 to me looks like we're
15 going to have sending off
16 a donation to Sergeant
17 Lloyd's family for
18 approximately ten thousand
19 dollars.

20
21 (All applause.)

22
23 TREASURER VIDDIVO:
24 Kudos to you guys for

115

1 e-mails, two or three EAs
2 ago. I sent out a test
3 e-mail or Steph sent it
4 out for me last Tuesday.
5 And I only got nineteen of
6 you to respond to it. You
7 do have NYSCOPBA e-mail.
8 Some of your facilities
9 don't know that, but go on
10 it, use it.

11 It's great for -- I
12 honestly wanted to expand
13 it to the treasurers and
14 recording secretaries of
15 the local, but if you guys
16 aren't using it I'm not
17 going to do it because
18 it's a waste of money.
19 So, if we can get, you
20 know, a higher usage of
21 e-mails we can look at
22 doing that down the road.

23 But for now, I need you
24 guys to get on board first

114

1 doing that. It's very
2 much appreciated the work
3 you did on that. That's
4 all I got. Any questions
5 for me? Dave?

6 DAVE LUTHER: Dave
7 Luther out of Sing Sing.
8 Taking back to the Rainy
9 Day Fund -- can we go to
10 direct deposit? If
11 they're collecting Rainy
12 Day Fund, why can't we
13 make a direct deposit into
14 their account?

15 TREASURER VIDDIVO: You
16 mean like an ACH? The
17 only problem -- I don't
18 know if the membership
19 wants to give us that
20 information, their account
21 numbers. That is what we
22 would need to do that.
23 Dave, you are more than
24 entitled to make a motion

116

1 to change the policy and
2 we can address it with
3 this body and we can talk
4 about it.

5 Speaking of the Rainy
6 Day Fund, I heard some
7 talk out of the room,
8 actually I was asked a
9 question. The policy
10 stands, if you get back
11 pay, you have to pay the
12 fund back. No matter what
13 the amount is, no matter
14 whether you are
15 terminated, you are
16 signing a document that
17 you will pay back that
18 fund if you get back pay.

19 We have a process. We
20 do thirty day letters, we
21 do sixty day letters. And
22 ultimately, unfortunately
23 if you don't pay it back,
24 we do a ninety day letter.

117

1 point -- but at this point
2 we have no way to take it
3 out of your check. We
4 will be working on doing
5 that and that would
6 probably make it much
7 easier for us to get the
8 money and not have to wait
9 it out.

10 But right now that's
11 not the way it works. The
12 member gets the money and
13 we rely on the fact that
14 the member is going to pay
15 back the fund. Which in
16 all honesty, out of all
17 the Rainy Day Funds and
18 all the pay backs -- pay
19 back awards, we have
20 gotten back about ninety
21 percent of that money.
22 And that's in the
23 seventy-five to eighty
24 thousand dollars range.

119

1 We will do a collection on
2 you to pay back the fund.

3 So make that very clear
4 to our membership. That,
5 you know, if they get the
6 money, they're signing a
7 document saying they will
8 give the money back to the
9 fund. If you get it back,
10 you got to give it back.

11 That's the way it
12 works. So, unless we
13 change that as well,
14 that's the current policy.
15 Yes? Once the arbitration
16 award is done and the
17 arbitrator does whatever
18 he does for penalty and
19 whatever he does for back
20 pay, that money goes to
21 the member, that does not
22 come to NYSCOPBA.

23 We have no way at this
24 point -- we may at some

118

1 So that's pretty good.
2 So guys have been very
3 good. So, hopefully that
4 will continue. Any other
5 questions for me?

6 (No response.)

7
8
9 TREASURER VIDDIVO:

10 Thank you.

11 PRESIDENT POWERS:

12 We'll move into
13 departmental reports.
14 Susan and Sharon do not
15 have actual reports. They
16 don't have a whole lot to
17 report. But should you
18 have questions regarding
19 health insurance, or
20 health and safety or
21 Workers' Compensation,
22 Susan and Sharon are in
23 the back of the room. So
24 if you have anything for

120

1 them, just reach out to
 2 them. Bill Naylor is on
 3 vacation so we will not
 4 have a retirement report.
 5 So we'll move forward with
 6 Dan Valente, and then
 7 we'll follow-up with Jim.
 8 DAN VALENTE: Good
 9 afternoon. Legislative
 10 report. Rally May 1st,
 11 we had about four hundred
 12 and fifty, four
 13 seventy-five members
 14 attend that. So thanks
 15 for the folks who got on
 16 the bus or drove or took
 17 the time out of the their
 18 day to come and support
 19 the organization and
 20 really support yourselves.
 21 Really was like a thousand
 22 people with all the state
 23 buildings there; it was a
 24 good show.

121

1 one for law enforcement.
 2 Probably close to five
 3 hundred members
 4 participated in Lobby Days
 5 which is up significantly
 6 over the past few years.
 7 Unfortunately, the
 8 intent of the event had
 9 gotten a little bit out of
 10 control. Some members
 11 seemed to be treating it
 12 more like a party than an
 13 actual business function.
 14 So the committee is -- the
 15 Legislative PAC Committee
 16 is going to revisit the
 17 manner in which we hold
 18 these events.
 19 We're going to come
 20 back with some
 21 recommendations to the
 22 board and to this body as
 23 ways to improve it, so
 24 that it is more effective

123

1 I think it went very
 2 well. Wish we could have
 3 gotten some more members
 4 there, but you know how
 5 that goes. We had about
 6 thirty legislators speak.
 7 Some of them were very
 8 patient, some of them
 9 actually showed up without
 10 even letting us know.
 11 So we had a very good
 12 turn out legislative wise
 13 as far as the members of
 14 the legislature go and
 15 they all carried a pretty
 16 strong message in support
 17 of our members.
 18 Lobby Days, this year
 19 we changed it up a little
 20 bit. We held six Lobby
 21 Days rather than the four
 22 we've done in the past.
 23 One for the five
 24 correctional regions and

122

1 and we're not getting any
 2 articles printed in the
 3 local newspapers based on
 4 the actions of a few.
 5 Legislative session
 6 wrapped up, as Keith
 7 mentioned. We had some
 8 big successes. A lot of
 9 that does generate from
 10 the support that we get in
 11 the Lobby Days. Our
 12 members coming to Albany
 13 and show their willingness
 14 to support the legislation
 15 that we are pursuing.
 16 As always, we're
 17 looking to the members to
 18 drive our legislative
 19 agenda. We're looking for
 20 ideas for new bills. So
 21 if you have any, please
 22 bring those forward.
 23 We're going to be doing
 24 the PAC seminars again

124

1 this Fall around the
2 state; keep an eye out for
3 those.

4 Now that the session is
5 concluded, we are going to
6 be soliciting a
7 legislators to do a tour
8 of -- we solicit all year
9 around for tours of the
10 facilities. More or less
11 they tend to like to tour
12 more in the summer when
13 they're not in Albany
14 during session. So we'll
15 be getting a notice out to
16 them, inviting them to
17 tour the facilities.

18 So please welcome them
19 to your facilities and
20 show them what they need
21 to see to really
22 illustrate the job you all
23 do and the difficult
24 circumstances you operate

125

1 on that.

2 The only thing I do
3 want to address is since
4 obviously Dave is
5 retiring, I'm going to
6 take over the Stateside
7 golf tournament and run it
8 starting this year. So
9 everybody has a single
10 sheet, informational sheet
11 in their packet, if you
12 want to take a look at it
13 to remind you.

14 The date has changed to
15 September 6th this year.
16 Same location, same
17 charity, CPOF. All the
18 contact information is on
19 there, my cell phone and
20 e-mail address and you can
21 go directly through me.
22 The tournament sold out
23 last year so please get in
24 touch with me as quickly

127

1 under.

2 Other than that, I
3 think everything else
4 pretty much covered in the
5 President's report and
6 Keith's report. If anyone
7 has any questions for me,
8 I'd be happy to answer
9 them. Otherwise, that
10 concludes the report.
11 Short and sweet this time.

12 PRESIDENT POWERS:

13 Thanks, Dan. Jimmy?

14 JIMMY MILLER: Good
15 afternoon. I will be very
16 short. One thing Kenny is
17 going to address with the
18 public relations
19 committee, there's been
20 talk of a committee about
21 looking into revising the
22 public relations campaign
23 moving forward 2018. But
24 I will let him elaborate

126

1 as possible if you're
2 planning on playing.
3 Because it will fill up
4 quickly.

5 I obviously will let
6 the staff know at Airway
7 Meadows the number of
8 people by the end of
9 August. That's all I
10 have, unless somebody else
11 has anything else to add
12 to this?

13 (No response.)

14 JIMMY MILLER: Thanks.

15 PRESIDENT POWERS:

16 Let's take a break.

17 (Recess taken.)

18 PRESIDENT POWERS:

19 There's a couple documents

128

1 being handed out -- are we
2 all in? Okay. We'll get
3 started again. If I could
4 have your attention.
5 Couple things here to go
6 over. An idea was brought
7 up just recently from
8 Brother Mazzella regarding
9 the opportunity to
10 possibly rent a bus for
11 either later on this
12 afternoon or tomorrow
13 morning to send a group of
14 individuals or couple of
15 trips over for couple
16 hours to take you over to
17 see the memorial wall.

18 Recognizing everybody
19 schedules and whatnot,
20 would there be interest
21 amongst the rank here to
22 do such a venture? Seeing
23 none, we'll squash that.
24 But I do recommend you get

129

1
2 PRESIDENT POWERS: In
3 September, the September
4 Executive Assembly also
5 coincides with the Attica
6 memorial. We will not be
7 having committee reports
8 that morning, I believe
9 that's the schedule at
10 hand, so that members can
11 attend the Attica memorial
12 that day and come back
13 here that afternoon to
14 start the executive
15 assembly.

16 Keep an eye on your
17 in-boxes as your chairs of
18 your committees and the
19 leaders of your committees
20 will be reaching out to
21 you to schedule a meeting
22 or not, depending what you
23 have on your schedule and
24 we'll go from there. Any

131

1 over there and take a look
2 at that.

3 Couple other quick
4 things I wanted to bring
5 up. I want to recognize,
6 the CPOF Convention was in
7 San Francisco last week to
8 week and a half ago, there
9 was a lot of positive
10 feedback coming back from
11 the Honor Guard as to many
12 of the members of New York
13 State who attended this
14 CPOF event, from Wyoming
15 Correctional, Albion,
16 Attica and Sing Sing. A
17 lot of positive feedback,
18 the presentations and the
19 jobs that goes on and at
20 this time I'd like to
21 offer them a round of
22 applause.

23
24 (All applause.)

130

1 objection to that?

2 Seeing none, we'll move
3 on from that. At this
4 time we have a couple
5 gentlemen from Excelsior
6 College that are going to
7 do a presentation for us.
8 Mike Verro is going to
9 briefly give us a quick
10 analysis of the program
11 that he offers and give
12 you a little bit of his
13 background. Mike?

14 MICHAEL VERRRO: Good
15 afternoon. I know it's
16 after lunch, you're all in
17 a food coma and it's the
18 end of the day, so I have
19 about ten minutes. I want
20 to thank you for allowing
21 us to come here.

22 I was asked to give a
23 brief overview of our
24 educational program. I'm

132

1 Dr. Michael Verro, Senior
2 Program Director of
3 Criminal Justice, Homeland
4 Security, Emergency
5 Management at Excelsior
6 College here in Albany.
7 We are primarily an online
8 school. And we offer
9 many, many various
10 educational opportunities
11 for people in law
12 enforcement, corrections
13 and so on and so forth.
14 So I was asked to come
15 here and present some of
16 that to you.

17 Primarily the criminal
18 justice program and
19 Homeland security that I
20 oversee is the biggest
21 applied program for the
22 entire college. Most of
23 my students are either
24 working or in the military

133

1 I can tell you how I know
2 the business.

3 Basically I'm retired
4 off the job. I have about
5 twenty-three years as a
6 police officer, detective
7 and DEA task force agent.
8 So I'm very familiar with
9 acronyms. They call this
10 CORSHAM, self directed,
11 self-paced course that you
12 take. And if you wish,
13 you take a high stakes
14 exam and if you pass it,
15 you get college credit.
16 They call that the bedroom
17 slippers and burger
18 approach. You just sit
19 home, you don't have to
20 leave your home, you don't
21 have to take a course. If
22 you have the experience
23 and background, why should
24 you have to take an

135

1 looking for jobs.

2 We offer an extensive
3 array of credits for your
4 training as well. So if
5 you've been to a police
6 academy or a correctional
7 academy, there's a good
8 chance we've assessed your
9 training and you can start
10 with anywhere from fifteen
11 to thirty-five college
12 credits just because you
13 graduated. So you might
14 want to look into
15 something like that.

16 One of the reasons I'm
17 here to speak also, is not
18 so much about my program
19 and what it is, but we
20 offer a new product that
21 we've been working on,
22 something called a
23 CORSHAM. It's an acronym,
24 we all know acronyms. And

134

1 introductory course in
2 corrections or why should
3 you have to take an
4 introductory course in law
5 enforcement or criminal
6 justice; you know this
7 stuff cold.

8 It allows you at a
9 third of the price of a
10 course to simply take this
11 CORSHAM. You're sent the
12 digital information, you
13 read it, you study it at
14 your pace, when you feel
15 you're ready, you take the
16 high stakes exam. If you
17 pass it, like I said, you
18 get accepted college
19 credit and you can
20 transfer that towards a
21 college degree.

22 I know in corrections
23 you may not need a lot of
24 education, you come on the

136

1 job and move up. I work
2 with the NYPD quite
3 regularly. They do a lot
4 of education. You come on
5 the job, a Bachelors
6 Degree to become sergeant;
7 and so on and so forth. I
8 work extensively with
9 them.

10 Some of you are in
11 corrections, some are in
12 law enforcement. If you
13 need educational credits
14 to either get promoted or
15 if you're short timing and
16 you're looking for your
17 next career, or if you
18 want to teach -- that's
19 what I've done. After
20 twenty-three years, I got
21 my Doctorate and now I'm
22 in academia.

23 There is another life
24 after this, believe it or

137

1 You can contact me
2 directly. Actually, I'll
3 give one of my cards to
4 your leadership. If
5 anyone wants to contact me
6 directly, it's Michael
7 Verro at Excelsior
8 College. I'm easy to
9 find.

10 I'd be happy to walk
11 you through anything you
12 want to do. If you have
13 college credit and you
14 want to cumulate them,
15 another thing we do, we
16 aggregate them. We have a
17 lot of military that
18 bounce all over the world.
19 They're a transient
20 population. So they take
21 a college course here, a
22 college course there.

23 What I do is, I
24 aggregate them all. And

139

1 not, but you need to set
2 yourself up now. I think
3 that's why they wanted us
4 to speak about this
5 educational opportunities
6 that Excelsior College has
7 to offer.

8 You can easily go
9 online if you want more
10 information,
11 www.excelsior.edu. Or,
12 you can go out that door
13 right there. We have a
14 couple of ladies that work
15 for our college, one of my
16 advisors. And we have
17 plenty of information out
18 there on both the criminal
19 justice program, a
20 masters, MBA.

21 You can speak to one of
22 them. They're happy to
23 fill you in on the rest of
24 the information.

138

1 if it comes up to the
2 correct amount, I can
3 award them a degree just
4 based on their training
5 and bouncing around the
6 world, without ever having
7 to step foot on my college
8 campus.

9 That's what we do.
10 We're primarily advancing
11 education, higher
12 education for working
13 adults. My average
14 student is thirty-seven
15 years old. They're
16 married, they got two
17 kids, a three-legged cat,
18 a mother-in-law living in
19 the back room, whatever.

20 They're working adults.
21 They don't have time, so
22 they do it online. Like I
23 said with this new CORSHAM
24 product, you don't even

140

1 have to take a course.
2 You use your experience
3 and your knowledge that
4 you have already
5 accumulated, and you
6 simply test out, it's
7 called testing out.

8 And I will readily
9 accept that college credit
10 right into any one of my
11 programs. My Associate's
12 Degree, my Bachelors and
13 that will lead you to your
14 Master's Degree.

15 So that's really what
16 we're here to talk about.
17 I just wanted to give you
18 this educational
19 opportunity. I want to
20 thank your Executive Board
21 for allowing us this time.
22 If you have any other
23 questions, like I said, I
24 can either take one or two

141

1 schools, if I remember
2 correctly. SUNY state
3 schools.

4 VP SOUTH FISHER: So
5 this is SUNY state school.
6 Okay.

7 MICHAEL VERR0:
8 However, we are Title 4,
9 so you can get financial
10 aid for our college,
11 Federal financial aid.

12 VP SOUTH FISHER: You
13 also mentioned education
14 and work experience coming
15 from here that would apply
16 towards college credits?

17 MICHAEL VERR0: That's
18 correct. I can't
19 guarantee one hundred
20 percent. If you go to our
21 website, we assessed --
22 several years ago
23 something, part of a
24 project called Criminal

143

1 now.

2 But if you need more
3 information, right outside
4 the door we have a table
5 and one of our folks would
6 be more than happy to give
7 you literature or answer
8 any of your questions.
9 Any glaring questions
10 right now? That's what I
11 thought. Okay.

12 Thank you. Yes, sir?

13 VP SOUTH FISHER:
14 Clarence Fisher, VP
15 Southern Region. Couple
16 questions. First, with
17 the Governor's new bill on
18 tuition, do the people
19 that come under the
20 threshold of the amount to
21 make qualify for that in
22 this college course?

23 MICHAEL VERR0: I
24 believe that is with state

142

1 Justice Training
2 Assessment Program.
3 Fifty-seven agencies
4 around the country, we
5 assessed their curriculum,
6 their training curriculum
7 and we awarded college
8 credit for those.

9 I believe the highest
10 was New York State Police
11 we give them thirty-five
12 college credits just for
13 graduating from their
14 academy. That can then be
15 applied, so you're halfway
16 to an Associates Degree.

17 So you have to go to
18 our website to look and
19 see if your agency was on
20 there and what the time
21 frame was, that's
22 important. Also, what I
23 have done, I extended
24 mostly to police, mostly

144

1 to law enforcement, any of
2 the zone training, Zone 5
3 and all the other thirteen
4 other zones, I have
5 extended their training so
6 thousands of police
7 officers in any of those
8 zones, that training has
9 been assessed for college
10 credit.

11 VP SOUTH FISHER:
12 Thank you.

13 MIKE CARLSON: Do you
14 take the state college
15 tuition program, where
16 they'll actually fund when
17 you take college credits.

18 MICHAEL VERRO: That,
19 I'm not familiar with. If
20 you ask one of the folks
21 at our table out there,
22 one of our advisors, they
23 will be more familiar with
24 the financial end of

145

1 into tomorrow's agenda?

2
3 (No response.)

4 PRESIDENT POWERS:
5 Seeing none. We'll move
6 on. We'll start with
7 committee reports. PAC
8 committee.

9 SHAWN KEENAN: Good
10 afternoon. Not much to
11 report. Most of it was
12 said by Mike and Dan and
13 Keith. I'm not going to
14 beat that dead horse
15 there. The only thing I'm
16 going to go over is our
17 balances.

18 We got starting
19 balances of 6/1/17,
20 ninety-three thousand,
21 fifty-nine dollars.
22 Checks paid out, forty
23 thousand, three hundred
24 and fifty. Total

147

1 things.

2 As you know when you're
3 director, it's always a
4 great position to have but
5 then we have different
6 levels of that; admission
7 people, financial aid,
8 they handle all of that.
9 So I'm sorry, I can't
10 answer that directly but
11 one of the folks at the
12 table will have an answer
13 that to question for you.

14 All right. If there is
15 nothing else, thank you
16 for your attention. Enjoy
17 the rest of your
18 conference.

19 PRESIDENT POWERS:
20 Thank you. That completes
21 today's agenda. Unanimous
22 consent to move in to
23 tomorrow's agenda.
24 Anybody opposed to moving

146

1 expenses, forty thousand
2 three hundred fifty.
3 Ending balance, fifty-two
4 thousand, seven hundred
5 and nine.

6 Year to date
7 expenditures for 2017, one
8 hundred and sixty-two
9 thousand, four hundred and
10 fifty. Any questions?
11 Outstanding.

12 PRESIDENT POWERS:
13 Election Committee. Joe?

14 JOE BELLINGER:
15 Buckle your seatbelts,
16 it's going to be a long
17 one. Let's see, meet the
18 candidates night. If you
19 are planning on meet the
20 candidates night, please
21 send your date, time,
22 place to NYSCOPBA at 102
23 Hackett Boulevard,
24 attention election

148

1 committee.
 2 By July 20th, 2017, the
 3 election committee will
 4 meet and send out a
 5 calendar for all
 6 candidates running for
 7 office. And all the
 8 information that is to be
 9 included on the calendar
 10 must be received by
 11 NYSCOPBA's headquarters no
 12 later than close of
 13 business on the 19th of
 14 July.

15 So, if you're planning
 16 on meet the candidates
 17 night, get the information
 18 to us by the 19th. We'll
 19 put it on the schedule and
 20 get it to the candidates.
 21 Right now, we have one for
 22 Gowanda, Collins and
 23 Lakeview, scheduled for
 24 July 13th, 2017 at the

1 2017 to the independent
 2 organization which is
 3 Triple A, the organization
 4 will be conducting the
 5 ballot count.

6 On September 28th, 2017
 7 the official counting of
 8 the ballots will take
 9 place at the independent
 10 organization approved by
 11 NYSCOPBA's executive
 12 assembly and will be
 13 observed by NYSCOPBA'S
 14 election committee and any
 15 member in good standing
 16 who wishes to attend.

17 To law enforcement, the
 18 election. The ballots for
 19 law enforcement, the
 20 ballots must be returned
 21 to NYSCOPBA'S main office
 22 no later than close of
 23 business July 19th, 2017.
 24 The election committee

1 Gowanda Moose Lodge. 201
 2 Over Ridge Street,
 3 Gowanda, New York. The
 4 time has not been set yet.
 5 July 13th.

6 Keeping with the
 7 Executive Board elections,
 8 on or about June 30th,
 9 2017 the independent news
 10 letter introducing the
 11 candidates for executive
 12 board officers position
 13 will be mailed to every
 14 member. No later than the
 15 close of business on
 16 August 4th, 2017, ballots
 17 will be mailed by the
 18 independent organization
 19 Triple A, to all NYSCOPBA
 20 members in good standing.
 21 Any questions on that?

22 All ballots must be
 23 received by the close of
 24 business, September 27th,

1 will start the counting of
 2 the ballots at NYSCOPBA's
 3 main office at nine a.m.
 4 on July 20th, 2017. Any
 5 member in good standing
 6 wishes to observe the
 7 counting by the election
 8 committee may be present.

9 The election committee
 10 will send out ballots to
 11 the election committee
 12 sector stewards within two
 13 business days of the
 14 election to select the
 15 chief steward, which is
 16 designated statewide or
 17 regional sector. The
 18 ballots must be returned
 19 no later than fifteen
 20 business days, which is
 21 August 14th, 2017.

22 In the event there is a
 23 tie, there must be a
 24 run-off election which

1 must be completed within
2 thirty business days,
3 which will be September
4 26th, 2017, from the date
5 of the chief steward
6 sector election. Any
7 questions about law
8 enforcement election?

9 On to the corrections
10 elections. Right now we
11 are in the absentee ballot
12 period which is June 15th,
13 2017 through July 5th,
14 2017. Right now we have
15 not received official
16 ballots for Wyoming and
17 Wende. I don't know how
18 they're doing their
19 absentee ballots, if we
20 don't have their ballots.

21 Let's see. We'll start
22 with the absentee ballots.
23 Members requesting
24 absentee ballots must

153

1 at the sector level can
2 not participate in the
3 absentee ballot counting
4 for their sector.

5 Absentee ballots must
6 be received at NYSCOPBA's
7 main office by the close
8 of business the day before
9 the election, which is
10 July 19th, 2017. Any
11 member in good standing
12 may observe the opening
13 and counting of the
14 absentee ballots by
15 NYSCOPBA's election
16 committee.

17 All sector steward
18 elections will take place
19 on the same day.
20 Elections are to be held
21 on a set date from six
22 a.m. to 4:30 p.m., except
23 for shock facilities which
24 are six a.m. to six p.m.

155

1 notify their sector
2 election committee chair
3 person in writing no more
4 than thirty-five days
5 prior to and no less than
6 fifteen days prior to the
7 day of the election. The
8 absentee requests must be
9 sent to membership
10 services who will in turn
11 forward the absentee
12 ballot to the requesting
13 member.

14 Again, the dates are
15 the 15th of June to July
16 5th. The absentee ballot
17 timeline must be posted.
18 Absentee ballots will be
19 sent to NYSCOPBA's main
20 office for counting by
21 NYSCOPBA Election
22 Committee. NYSCOPBA's
23 election committee members
24 who are running for office

154

1 Election date, time and
2 place must be posted at
3 least thirty days prior to
4 the election.

5 Each sector shall
6 secure a lockbox. The
7 lockbox keys will remain
8 the possession of the
9 sector election
10 chairperson. At least two
11 members from the sector
12 election committee need to
13 be present during the
14 dropping of the ballots in
15 the ballot box. At a
16 facility with multiple
17 entry point, sector
18 election committee shall
19 designate a mutually
20 convenient site for
21 locations of the ballot
22 boxes.

23 We're are not going to
24 talk about the stipends

156

1 yet. As of 6/27/17, we
2 only received thirty-five
3 absentee ballots at the
4 main office. When you go
5 back to your facilities,
6 you need to check with
7 your chairperson and find
8 out what is going on. How
9 are they handling the
10 absentee ballots? Because
11 out of those thirty-five
12 absentee ballots, I know
13 twenty came out of
14 Willard. So, with sixty
15 facilities out here, we've
16 got fifteen.

17 So, you should be
18 handling the absentee
19 ballots at the facility,
20 then it needs to go to
21 membership services. The
22 members request in a
23 to/from an absentee
24 ballot. The sector

157

1 services. We have --
2 we had a special election,
3 elections were off a
4 little bit at Downstate,
5 Fishkill and Bedford.

6 If those three
7 facilities needed a copy
8 of the procedure
9 guidelines, see me after
10 this and I'll get you a
11 copy of it.

12 I'm the WTO correction
13 officers, there's been
14 some issues with four
15 transfer officers. They
16 now hold the position of
17 correction officer and how
18 they are to vote.

19 It has been -- it went
20 to the Executive Board and
21 the warrant transfer
22 officers for the record
23 will be voting along with
24 law enforcement this year.

159

1 chairperson for the
2 election committee
3 compiles the list,
4 forwards that list to the
5 membership services. And
6 then Stephanie in
7 membership services sends
8 out a copy of the local
9 ballot, which in return
10 gets mailed back to
11 NYSCOPBA for counting.

12 On election day, we'll
13 call you with a count for
14 the absentee ballots. So,
15 right now we received
16 fifteen from about sixty
17 jails, so something is
18 going on here. So if you
19 can check with your
20 chairperson to find out
21 what's going on.

22 If you have any issues
23 call me at -- call me or
24 Stephanie at membership

158

1 And in the future
2 elections after that, they
3 will vote as correction
4 officers. Do you have any
5 questions on that?
6 Vacancies for committees.

7 VP LAW ENFORCEMENT
8 HARMON: As in the past
9 for the Election Committee
10 because the Executive
11 Board election are
12 staggered, typically in
13 the past the election
14 committee has stayed on
15 for the election process
16 just to finish, then the
17 new committee takes over.
18 I'm not sure if anybody
19 has any questions or
20 problems with that.

21 But that's -- we've had
22 challenges in the past, we
23 kept the same committee in
24 past so there wasn't any

160

1 political issues or
 2 problems that could arise
 3 from a new committee
 4 coming over for possible
 5 challenges to happen.
 6 So we're just asking
 7 anybody if anybody has any
 8 issues with allowing this
 9 election committee to stay
 10 through, just until the
 11 last day of the challenges
 12 for the Executive Board.
 13 Then following that, the
 14 new election committee, if
 15 there is one, would take
 16 over.
 17 And that is typically
 18 how we have done it before
 19 as the election chair. I
 20 talked with the committee
 21 today and they were fine
 22 with that as well. I just
 23 wanted to let everybody
 24 know. If you have any

161

1 issues, let us know.
 2 JOE BELLINGER: Mike,
 3 do we need approval on
 4 that or is that just --
 5 I'm sorry?
 6 JOE BELLINGER: John
 7 just brought up the
 8 election committee staying
 9 on.
 10 PRESIDENT POWERS: Yes,
 11 you need membership
 12 approval.
 13 VP LAW ENFORCEMENT
 14 HARMON: We have done it
 15 before because the
 16 challenges and it
 17 eliminates the possibility
 18 of politics to get
 19 involved. And that is why
 20 we've done it previously.
 21 PRESIDENT POWERS: It
 22 keeps the committee that
 23 brought the election
 24 forward in place until the

162

1 end of the cycle, correct?
 2 VP LAW ENFORCEMENT
 3 HARMON: Yeah, you need --
 4 PRESIDENT POWERS: Is
 5 anybody opposed to having
 6 the election committee
 7 staying on until the end
 8 of the election process?
 9 Any opposition?
 10
 11 (No response.)
 12
 13 PRESIDENT POWERS:
 14 Seeing none, it's been
 15 approved.
 16 JOE BELLINGER:
 17 Thank you. Vacancies for
 18 the Executive Assembly
 19 Committee, we have a
 20 vacancy for publicity and
 21 meetings committee. That
 22 vacancy is out of the
 23 southern region.
 24 Clarence?

163

1 VP SOUTH FISHER: I
 2 want to defer that until
 3 after the local election
 4 so I know what stewards I
 5 will have available.
 6 JOE BELLINGER: Noted.
 7 Do we have any questions
 8 about the local elections?
 9 There's been not a lot of
 10 questions and there an
 11 hasn't been a lot of
 12 involvement with
 13 membership services. What
 14 I'm asking is for you to
 15 go back to your facilities
 16 and find out where you're
 17 at.
 18 Make sure the postings
 19 are done, make sure the
 20 guidelines and procedures
 21 are posted. Talk to your
 22 chairperson. You can't
 23 just walk away from this
 24 election, you have to

164

1 watch it from afar. If
 2 there's issues with the
 3 elections at the local
 4 level, you need to either
 5 try to correct it or
 6 contact myself or
 7 Stephanie in membership
 8 services and she'll get
 9 ahold of me and we'll walk
 10 you right through it.
 11 If not, we'll be coming
 12 to your jail helping you
 13 with the election. So,
 14 it's a pain in the ass.
 15 JOE BUTLER: Joe Butler,
 16 Gowanda, Joe, I got a
 17 question on the warrant
 18 transfer officers. Next
 19 election they're going to
 20 vote under the corrections
 21 sector but when do they
 22 become represented by the
 23 corrections sector.
 24 Currently they're under

165

1 go through smoothly, in
 2 the fact that the former
 3 warrant transfer officers
 4 were thinking they were
 5 going to be for law
 6 enforcement anyway for
 7 this election, once the
 8 election process is over,
 9 we have to come to this
 10 body to flip them
 11 basically from law
 12 enforcement to DOCCS. And
 13 decide how their sector is
 14 going to be aligned after
 15 that.
 16 JOE BUTLER: Okay.
 17 Thank you.
 18 JOE BELLINGER: Any
 19 questions on the
 20 elections?
 21
 22 (No Response.)
 23
 24 JOE BELLINGER: Seeing

167

1 law enforcement but they
 2 now have correction
 3 officer's title. Will
 4 they be moving under
 5 corrections sector?
 6 JOE BELLINGER: Yes.
 7 JOE BUTLER: At what
 8 point?
 9 VP LAW ENFORCEMENT
 10 HARMON: As soon as this
 11 election cycle is over.
 12 Because the reason is.
 13 JOE BUTLER: Timing I
 14 understand.
 15 VP LAW ENFORCEMENT:
 16 If you move them now,
 17 they've been eliminated
 18 from the potential for
 19 putting in a steward,
 20 chief sector steward or
 21 regional vice president or
 22 anything currently in the
 23 DOCCS regions.
 24 So in order for this to

166

1 none, thank you.
 2 PRESIDENT POWERS: John
 3 Harmon, collective
 4 bargaining.
 5 VP LAW ENFORCEMENT
 6 HARMON: Since the last
 7 EA, we've come to another
 8 kind of agreement, the
 9 details will be coming to
 10 you guys at the end of
 11 this Executive Assembly
 12 meeting. No. No. That's
 13 fine. We know that's not
 14 true.
 15 Since the last EA the
 16 committee met to prepare
 17 for proposals as requested
 18 by the April EA to go out
 19 to the chiefs and that was
 20 done. May 12th the letter
 21 was sent to PERB to
 22 declare impasse for
 23 negotiations.
 24 May 22nd, we received a

168

1 letter from PERB. It was
 2 GOER's position on
 3 impasse, it was GOER'S
 4 position that we didn't
 5 meet following the vote of
 6 no on the tentative deal.
 7 And they felt that we
 8 should have went back to
 9 the table after that to
 10 meet again. So the way
 11 they want to interpret it
 12 is that there should not
 13 be impasse.
 14 On June 19th, we
 15 received GOER's response
 16 to our impasse. As
 17 everybody saw it was put
 18 out there, they put it out
 19 as pending until we sit at
 20 the table again. And
 21 they're forcing us to go
 22 back to sit at the table.
 23 July 6th or 7th, in a
 24 couple weeks or next week,

169

1 PAUL MIKOLAJCZYK: Paul
 2 Mikolajczyk, Sing Sing
 3 Prison. Could we have the
 4 PERB letter read into the
 5 record?
 6 VP LAW ENFORCEMENT
 7 HARMON: Yes. And it was
 8 distributed, it was put on
 9 the website, Paul.
 10 PAUL MIKOLAJCZYK: No,
 11 I understand that. Could
 12 we have it read into the
 13 record here. There seems
 14 to be some differences of
 15 opinion. I read the
 16 second paragraph where the
 17 gentleman writing the
 18 letter says, "I ask that
 19 you"; not, I direct you or
 20 I command you. I ask. He
 21 is asking us to go back to
 22 negotiations.
 23 But at the last EA,
 24 this body voted not quite

171

1 the committee will be
 2 meeting to discuss the
 3 options --
 4 PAUL MIKOLAJCZYK: Will
 5 the speaker accept a
 6 question?
 7 VP LAW ENFORCEMENT
 8 HARMON: Excuse me?
 9 PAUL MIKOLAJCZYK: Will
 10 the speaker accept a
 11 question?
 12 VP LAW ENFORCEMENT
 13 HARMON: Just let me
 14 finish the last sentence,
 15 Paul, and then I will.
 16 July 6th and 7th, the
 17 committees meet to discuss
 18 the option for dates to
 19 meet with the State. We
 20 have to follow up with the
 21 State to put out future
 22 dates to negotiate as
 23 required by the letter of
 24 GOER. Go ahead, Paul.

170

1 unanimously no further
 2 negotiations with the
 3 Governor's office for
 4 numerous reasons. So
 5 they're not really
 6 directing us; they're
 7 asking us. So we could
 8 still uphold the EA's
 9 direction from the last
 10 EA.
 11 VP LAW ENFORCEMENT
 12 HARMON: If that's what
 13 the body wants. The issue
 14 though is, is that I'm not
 15 so sure that's the
 16 interpretation of it.
 17 Because if we don't go
 18 back to sit at the table,
 19 let's play it up Paul,
 20 we're not coming to a deal
 21 when we sit back at the
 22 table; let's be honest.
 23 The odds are the odds, it
 24 is what it is.

172

1 Do we want to play with
2 fire and possibly have a
3 Taylor Law violation in
4 not negotiating in good
5 faith. Just because we
6 don't want to go back to
7 sit at the table because
8 PERB asked us to.

9 The one thing you want
10 is to -- you kind of want
11 PERB to -- you at least
12 want PERB to side with us
13 on this, you know, not
14 come back with some other
15 statement saying that,
16 well, you decided -- our
17 interpretation is you
18 decided not to negotiate
19 with the State again, and
20 it's a violation of the
21 Taylor Law; you're not
22 negotiating in good faith.

23 I'm speaking out loud
24 here. And I'm just -- I

173

1 what the Executive Board
2 does -- excuse me, I
3 apologize to the Board.
4 The Executive Assembly
5 says, let the members
6 decide, send it back out
7 for ratification. With no
8 increases to and they
9 voted yes. Because the
10 members feel that one no
11 vote should be enough.

12 Now, we voted no and we
13 voted no for numerous
14 reasons.

15 VP LAW ENFORCEMENT
16 HARMON: Paul, not to cut
17 you off, but it was the
18 wishes of this body for
19 the collective bargaining
20 committee to bring
21 anything back, back to the
22 Executive Assembly. So if
23 PERB is just asking us to
24 sit at the table, the

175

1 think the body needs to
2 understand that this was
3 PERB's response to us. Do
4 you really want to play
5 with fire, and play on
6 words. But just to say,
7 hey, guess what, we'll go
8 sit with you, we know what
9 the wishes of the body are
10 based on what was said
11 following the no vote of
12 the tentative deal. I
13 mean, we don't even know
14 what the State is going
15 to say to be honest with
16 you.

17 PAUL MIKOLAJCZYK: Our
18 fear is we see another
19 1999 situation. We said
20 no; and then we got
21 offered sixteen hundred
22 dollars. They came back
23 to the Executive Board,
24 the Executive Board does

174

1 collective bargaining
2 committee will not make
3 any decision nor any plans
4 on what to move forward
5 until this body
6 understands it.

7 And that's been the
8 wishes of this body
9 especially since the vote
10 of no. And guess what,
11 whether people agree with
12 one member one vote or
13 not, the collective
14 bargaining committee does
15 not make that decision.

16 The committee will sit
17 down, if we get a date,
18 and that's a whole other
19 we are projecting forward.
20 I mean, are they going to
21 sit with us? I imagine
22 they want to sit with us.
23 But it may be a pretty
24 quick meeting to be honest

176

1 with you because we know
2 based on what's been said,
3 kind of what's out there.
4 And in that sense, it is
5 what it is.

6 I guess the question
7 would be to the body, does
8 the body want to play with
9 fire and see if possibly
10 we have a Taylor Law
11 violation or negotiated in
12 bad faith. That's for the
13 body I think to decide
14 based on what's happened
15 previously.

16 And I would say very
17 cautionary about going
18 down that path. And I'm
19 just speaking out loud
20 here we're going to be
21 talking about
22 interpretation about I
23 ask, you may or you should
24 or you shall. Well, you

177

1 hurts officers over five
2 month period, but officers
3 becoming sergeants and
4 sergeants becoming
5 lieutenants.

6 This Cuomo seems to be
7 just a worse version of
8 the first Cuomo.

9 VP LAW ENFORCEMENT
10 HARMON: Paul, I can't sit
11 here and tell you what the
12 next negotiation will be,
13 nor what an arbitration
14 award will be. All I know
15 is that PERB sent a letter
16 to this organization
17 asking us to sit back at
18 the table and negotiate in
19 good faith.

20 Whether you agree or
21 don't degree to that, I
22 mean, anybody is entitled
23 to their own
24 interpretation of the

179

1 know, we're not talking
2 about, you know, some
3 settlement language; we're
4 talking about whether we
5 negotiate in good faith or
6 not and that is a whole
7 different animal.

8 PAUL MIKOLAJCZYK: I
9 understand that. But
10 historically working for
11 the Cuomo's, we're in the
12 condition we are
13 financially because of the
14 Cuomo's. And it's my
15 understand, and I wasn't
16 there, but I believe the
17 individual that spoke at
18 my union meetings when he
19 said no to any kind
20 restructuring as to job
21 steps, no to any kind of
22 longevity steps; and no to
23 the removal of the hundred
24 day rule. That not only

178

1 language. I'm just
2 reading to you -- I'm
3 telling everybody what was
4 said and what's been done
5 since then. And this body
6 could decide, you know, if
7 you want to tell quite
8 honestly, excuse my
9 language, tell PERB go
10 fuck themselves.

11 But that's the reality
12 of it. We have to
13 somewhat, you know, I'm
14 not saying honor, the
15 State is not honorable,
16 let's be honest. But it's
17 PERB that we -- they
18 didn't say no to our
19 application for impasse.
20 All they said is, we're
21 going to put it on pending
22 because we didn't talk to
23 the state again after the
24 no vote.

180

1 PAUL MIKOLAJCZYK:
 2 That's correct.
 3 VP LAW ENFORCEMENT
 4 HARMON: That is the only
 5 reason for it. And quite
 6 honestly, I think that
 7 discussion has been had
 8 with a lot of people, do
 9 you go back to the table
 10 after a no vote. I mean,
 11 you just don't say no, I'm
 12 never talking to you
 13 again. I mean, we did,
 14 and now this got sent back
 15 to us.
 16 And this was something
 17 that was said to the body,
 18 that this is a
 19 possibility, this could
 20 happen, you know. And it
 21 did happen. So we have to
 22 decide, do we say no and
 23 just say, screw it, we
 24 still want impasse. Or do

181

1 you say, all right fine.
 2 I'd be honest with you,
 3 I would love to hear what
 4 the hell they got to say.
 5 I have no idea what they
 6 could possibly say right
 7 now.
 8 PAUL MIKOLAJCZYK: In
 9 the second paragraph in
 10 the second sentence he
 11 says, attempt to resolve
 12 the casual issues.
 13 VP LAW ENFORCEMENT
 14 HARMON: Causal.
 15 PAUL MIKOLAJCZYK: What
 16 are those?
 17 BILL SHEEHAN: What
 18 he's talking about there
 19 are the issues that are in
 20 dispute. What he is
 21 basically saying is, what
 22 PERB is saying, whenever
 23 you have a contract
 24 ratification vote that

182

1 goes down, the parties
 2 have an obligation to go
 3 back and sit at the table,
 4 which we haven't done, and
 5 clarify exactly what the
 6 issues are that are in
 7 dispute.
 8 He's not saying you
 9 have to come to an
 10 agreement. PERB can't
 11 mandate an agreement.
 12 They can mandate that we
 13 sit down. That's
 14 basically --
 15 PAUL MIKOLAJCZYK:
 16 Where is that obligation?
 17 BILL SHEEHAN: It's in
 18 the Taylor Law.
 19 PAUL MIKOLAJCZYK: It's
 20 in the Taylor Law that we
 21 must, after voting no, go
 22 back?
 23 BILL SHEEHAN: It's in
 24 the Taylor Law and case

183

1 law interpreting the
 2 Taylor Law.
 3 PAUL MIKOLAJCZYK: That
 4 we must?
 5 BILL SHEEHAN: Correct.
 6 That's what he's saying,
 7 that we have an
 8 obligation. The
 9 obligation is rounded --
 10 PAUL MIKOLAJCZYK: Then
 11 why wasn't the motion of
 12 the last EA ruled out of
 13 order?
 14 BILL SHEEHAN: I
 15 suppose it could have
 16 been. But --
 17 PAUL MIKOLAJCZYK:
 18 Could have been or must
 19 be, if we must go back.
 20 BILL SHEEHAN: Paul,
 21 look at it this way, we
 22 have our desires but PERB
 23 is the body that
 24 interprets the Taylor Law.

184

1 They enforce the Taylor
2 Law and they're saying
3 it's your obligation
4 rounded in the duty -- go
5 ahead, Mike, oh, okay.

6 What they're saying is,
7 it's part of the duty to
8 negotiate in good faith,
9 once the vote goes down,
10 go back to the table,
11 figure out what the issues
12 are in dispute. And if
13 the parties can't resolve
14 those, come back to me and
15 go to mediation.

16 VP LAW ENFORCEMENT
17 HARMON: The one thing,
18 Paul, you need to
19 understand is that the
20 body asked us to go to
21 impasse. That's a
22 determination of the body.
23 You know, PERB could
24 easily have said, oh,

185

1 what the issues are and it
2 had been explained to them
3 by GOER, even though GOER
4 is saying they want to get
5 back to the table. Even
6 though GOER is saying they
7 want to get back to the
8 table, but PERB doesn't
9 always side with GOER
10 either.

11 So, was there an
12 opportunity, you know,
13 maybe to file paperwork
14 and let them know where we
15 stand? And I think that
16 was some of the direction
17 from the body, is that
18 they want the State
19 to know where we stand and
20 how we feel about how
21 negotiations went.

22 I think the -- besides,
23 you know, just the
24 process, I think the body

187

1 okay, I think you're right
2 at impasse. We have an
3 understanding what the
4 causal issues are and
5 you're not going to come
6 to a thing. You don't
7 know that until you it
8 file it.

9 Let's be honest, we
10 could have never filed it
11 and just sit back and
12 said, I think there's some
13 issues we got to talk
14 about, maybe we should go
15 back to the table, but
16 this body said, let's file
17 impasse. It was done.
18 Because it could have come
19 back and said, fine, we're
20 at impasse.

21 I'm not saying it would
22 have, but there's always
23 the chance that he could
24 have said, yes, I know

186

1 made it clear by demanding
2 that we file impasse to
3 let the State know where
4 we stand. Obviously GOER
5 came back, Mike Volforte
6 came wholeheartedly
7 saying, we want to talk.
8 Of course you do. Why
9 wouldn't you? You want
10 concessions or something
11 else; here, there,
12 everywhere.

13 Whether it's
14 disciplinary, healthcare,
15 whatever it is. We saw
16 the CSEA bill which looks
17 eerily familiar. Let's be
18 honest, of course they
19 want to go back to the
20 table. They would be
21 stupid not to get us back
22 to the table. But it
23 doesn't mean that PERB was
24 going to say absolutely;

188

1 there was a chance they
 2 were going to say no.
 3 Our issues are not
 4 exactly private. Our
 5 issues concerning this
 6 contract, they were pretty
 7 loud and clear. I will be
 8 honest with you, Joe Bress
 9 and Mike Volforte know
 10 exactly what those issues
 11 are. They can't play
 12 ignorant on it because our
 13 issues were out there, you
 14 couldn't ignore it.
 15 So I'm just saying the
 16 body made a decision, I
 17 think it was more not just
 18 the process, but to let
 19 the State know where we
 20 stand. I think they got
 21 that message. I think
 22 once GOER got the message
 23 that we filed for impasse,
 24 of course they're response

189

1 that came at the last
 2 Executive Assembly.
 3 But there's always
 4 fucking hiccups, there's
 5 always hiccups involved
 6 and those hiccups involve
 7 the Taylor Law. We can go
 8 in and sit down, listen to
 9 them, they might have good
 10 things to say. You can
 11 ignore them, turn around
 12 and walk out and continue
 13 the path that we're on as
 14 of this time with the
 15 motion that was put in at
 16 the last EA.
 17 But unfortunately those
 18 are the guidelines that we
 19 have to abide by through
 20 the Taylor Law. It really
 21 boils right down to that.
 22 VP LAW ENFORCEMENT
 23 HARMON: The process
 24 doesn't change any, the

191

1 back was going to be get
 2 you back to the table.
 3 They're not going
 4 to say, yes, let's go to
 5 impasse, let's go to
 6 arbitration. That's a
 7 roll of the dice with them
 8 as much as anybody else.
 9 They don't want that.
 10 They want to come to
 11 agreement at the table so
 12 they can sit back and say,
 13 and the Governor can say
 14 we agreed. Not roll the
 15 dice with an arbitrator.
 16 That's just my opinion. I
 17 wasn't here the last time.
 18 PRESIDENT POWERS:
 19 Powers, President. As far
 20 as the impasse and the
 21 letters from GOER, I mean,
 22 it's still the intent of
 23 this Board to proceed
 24 forward with the motion

190

1 process and the path as of
 2 right now is still
 3 impasse. That's the
 4 direction of the body.
 5 PAUL MIKOLAJCZYK: I'm
 6 just asking for clarity.
 7 The Taylor Law clearly
 8 says, we must go back to
 9 renegotiating after we
 10 passed a motion that said,
 11 the contract committee and
 12 the Executive Board are to
 13 abandon any further
 14 negotiations with the
 15 State and the Governor's
 16 office.
 17 Now, that couldn't be
 18 any clearer. So then that
 19 motion should have been
 20 ruled out of order in
 21 Syracuse, because the
 22 Taylor Law, I'm being
 23 informed now, clearly says
 24 that we must go back to

192

1 the negotiation table.
 2 BILL SHEEHAN: Paul,
 3 the way I would put it is,
 4 we followed the directive
 5 of the assembly; we filed
 6 for impasse. But everyone
 7 understands now and then
 8 that we still are subject
 9 to the direction of PERB
 10 because they control the
 11 process.

12 So, this is what
 13 they're saying. They're
 14 not telling us what an
 15 agreement should be,
 16 they're not saying we have
 17 to make an agreement,
 18 they're not saying we
 19 can't go to impasse or to
 20 interest arbitration.
 21 What they're saying is, we
 22 want you to sit down and
 23 clarify what the issues
 24 are in dispute.

193

1 So we've come to a
 2 point in the road where
 3 that's what we have to do.
 4 It doesn't mean that any
 5 of the other direction of
 6 the assembly can't be
 7 followed, but we
 8 definitely have to have
 9 follow PERB's direction
 10 here because they
 11 interpret the Taylor Law;
 12 they administer it.

13 PAUL MIKOLAJCZYK: So
 14 then, we'll rule this
 15 motion out of order from
 16 last month?

17 BILL SHEEHAN: I don't
 18 really see the need to do
 19 that but --

20 PRESIDENT POWERS:
 21 Can't rule it out of order
 22 now.

23 PAUL MIKOLAJCZYK: It
 24 says to abandon any

194

1 further negotiations.

2 This was the motion
 3 made by a vote of all but
 4 one. I'm just asking for
 5 clarification.

6 VP LAW ENFORCEMENT
 7 HARMON: The question,
 8 Paul, then is, if we sit
 9 here and completely abide
 10 by that motion, and I
 11 gotcha, it probably should
 12 have been ruled out of
 13 order then, somebody would
 14 have to make a motion to
 15 rescind the motion I
 16 believe now is the
 17 process; then we're going
 18 to take a chance at a
 19 Taylor Law violation.
 20 And -- which is -- which
 21 isn't a good thing. If
 22 you don't know, that's
 23 definitely not what we
 24 want to go on. That's the

195

1 last thing we need to
 2 think about.

3 But if that's the case,
 4 I mean -- but does the
 5 grievance say the
 6 Executive Assembly
 7 overrules PERB? I'm just
 8 speaking out loud because
 9 we're in another ball
 10 game. I mean, it's --
 11 it's what the wishes of
 12 the Assembly will be of
 13 course. But, you know, we
 14 do have rules that we have
 15 to follow as well. And I
 16 got what you're saying
 17 with the motion, but we
 18 have rules we have to
 19 follow that PERB demands
 20 that we do; not sometimes
 21 the EA.

22 PAUL MIKOLAJCZYK:
 23 Again, I'm just asking for
 24 clarification that there

196

1 is no appeal to this PERB
2 request.

3 BILL SHEEHAN: (Unheard
4 comment.)

5 VP LAW ENFORCEMENT

6 HARMON: Yes? Question?

7 THE PARLIAMENTARIAN:

8 The motion was not out of
9 order two months ago. But
10 the way you carry it out
11 is first to inform PERB
12 that you're requesting
13 impasse. That is a piece
14 of paper. You got a piece
15 of paper back from them,
16 that says they feel this
17 to mean, that there are
18 issues that need to be
19 addressed. And they
20 expect us to do that, I'm
21 sorry, expect you to do
22 that; in accordance with
23 the Taylor Law in the way
24 it's always been done.

197

1 may be, because that is
2 PERB's direction. Now, I
3 don't think there's going
4 to be much said. But PERB
5 has made it clear they
6 want to us sit at the
7 table for maybe one last
8 time to go over the issues
9 that they think we have
10 with the contract. And
11 that's it. Al?

12 AL ZAPPALA: Al
13 Zappala, Shawangunk. Just
14 some clarification. At
15 the last EA Mike Dildine
16 had told the EA that we
17 weren't going to be
18 meeting with the State any
19 more, due to the fact
20 we had upcoming steward
21 elections in July; and
22 then after that there
23 would be reshuffling of
24 the committees. And at

199

1 So just as you
2 responded to the contract
3 going down with an action,
4 now you have another
5 consequence that you have
6 to respond to; one way or
7 another. But the first
8 decision was in order at
9 the time and you have to
10 make another decision
11 today. That's all.

12 VP LAW ENFORCEMENT

13 HARMON: Yes?

14 MR. CALLAN: Callan,
15 Wyoming. I that point I
16 think our recommendation
17 is to the committee as to
18 the direction we should
19 go.

20 VP LAW ENFORCEMENT

21 HARMON: We have to -- the
22 committee has got to meet
23 with PERB. Whether today,
24 tomorrow, whatever that

198

1 the following EA, there
2 will be a new committee.

3 Now, what I'm hearing
4 is July 6th --

5 VP LAW ENFORCEMENT

6 HARMON: The committee
7 just needs to meet to
8 discuss what GOERs
9 response is going to be.
10 And we're going to have to
11 reach out to GOER to see
12 when dates are available,
13 if they're available. I
14 will be honest with you,
15 historically, they don't
16 get involved during these
17 kinds with our bargaining
18 unit because it's not
19 going to go resolved.
20 Because we're in the
21 middle of not just steward
22 elections, but board
23 elections. And they know
24 that as much as anybody

200

1 else.
 2 AL ZAPPALA: I just
 3 need clarification
 4 because --
 5 VP LAW ENFORCEMENT
 6 HARMON: We're just going
 7 to talk about what the
 8 options are with the
 9 committee and where do we
 10 go from here. Someone is
 11 going to have to call the
 12 state and say, okay, we
 13 got the message, what
 14 dates are you looking -- I
 15 mean, do they already have
 16 dates in mind? Maybe they
 17 do, maybe they don't.
 18 Typically during the
 19 summer, I'll be honest
 20 with you, I don't know if
 21 they will so quick. I
 22 highly doubt it. But we
 23 have to at least inform
 24 the committee what our

201

1 going to know. You're
 2 going to know when we
 3 negotiate again.
 4 AL ZAPPALA: Thank you.
 5 VP LAW ENFORCEMENT
 6 HARMON: You're welcome.
 7 Any other questions?
 8
 9 (No response.)
 10
 11 VP LAW ENFORCEMENT
 12 HARMON: Thank you.
 13 PRESIDENT POWERS:
 14 Thanks, John. Pete Stetz,
 15 Constitution Bylaws.
 16 DAVE LUTHER: President
 17 Powers. Dave Luther out
 18 of Sing Sing. Did we just
 19 resolve something and I
 20 missed it or what did we
 21 resolve?
 22 PRESIDENT POWERS
 23 Committee meeting.
 24 DAVE LUTHER: That was

203

1 options and what the paths
 2 are.
 3 AL ZAPPALA:
 4 Understood. Like I said,
 5 I just needed to know that
 6 because our members are
 7 asking what's the next
 8 step, what's the process,
 9 how far into the future is
 10 the committee going to
 11 meet with the state.
 12 VP LAW ENFORCEMENT
 13 HARMON: Let's put it this
 14 way, I would imagine after
 15 the 6th or 7th, Mike would
 16 reach out to Joe Bress, to
 17 see if there is dates
 18 available because PERB has
 19 demanded that we sit at
 20 the table.
 21 When those dates are
 22 available, you know, who
 23 knows. As soon as they're
 24 available, everyone is

202

1 the decision of the board?
 2 I mean, the Assembly? I
 3 mean we're going to meet,
 4 the committee is going to
 5 meet, but where do we go
 6 from there? Do we wait
 7 until --
 8 PRESIDENT POWERS: We
 9 wait for you to come back
 10 and tell us.
 11 DAVE LUTHER: Is that
 12 what we're talking about?
 13 The next EA is in
 14 September. Is what we're
 15 talking about?
 16 VP LAW ENFORCEMENT
 17 HARMON: We got to reach
 18 out to PERB.
 19 PRESIDENT POWERS: You
 20 guys will meet, we'll
 21 respond to PERB
 22 accordingly.
 23 DAVE LUTHER: If PERB
 24 says we got these dates,

204

1 this date or this date,
2 where do we go from there?

3 MIKE CARLSON: Come
4 back and let us know.

5 DAVE LUTHER: In
6 September. Okay. So when
7 they say August 30th,
8 we'll come back in the
9 middle of September to
10 decide whether we should
11 have met with them? Do
12 you understand what I'm
13 asking? Is somebody
14 ruling to changing the
15 motion from last month or
16 from the last EA, to go
17 ahead and set up dates or
18 what? Are we just going
19 to have lunch in the
20 office and talk about what
21 we talk about?

22 VP MID-HUDSON MAZZELLA:
23 Mike Mazzella, Mid-Hudson.
24 The way I understand it,

205

1 I understand that. But
2 the motion doesn't say --
3 it says, abandon all
4 negotiations. So, we
5 would need a new motion
6 now to say, yes, we
7 approve that you go back
8 to the table and find out
9 what they're trying to
10 find out.

11 UNIDENTIFIED SPEAKER:
12 Make a motion.

13 VP MID-HUDSON MAZZELLA:
14 I think it would be under
15 new business, but
16 whatever.

17 PRESIDENT POWERS:
18 Sorry, Pete. Should we
19 continue this conversation
20 now? What's the wishes of
21 this body? We either
22 follow along and go
23 forward -- and keep in
24

207

1 was the Parliamentarian
2 suggested that we were
3 given a letter from PERB
4 saying, you know, that
5 they want us to go back to
6 the table.

7 We have to decide, this
8 body has to decide whether
9 we want to respond to that
10 letter by saying thank you
11 but no thank you, we'll
12 continue at impasse. Or,
13 if want to say, okay,
14 we'll sit and meet. So at
15 some point I think we're
16 going to need a motion
17 from this floor to say --

18 VP LAW ENFORCEMENT
19 HARMON: The impasse
20 wasn't denied. So
21 everyone knows, the
22 impasse is tabled as
23 pending.

24 VP MID-HUDSON MAZZELLA:

206

1 mind, that if they deem a
2 violation of the Taylor
3 Law we won't be at impasse
4 any time soon. We'll be
5 in the back burner and
6 we'll be sitting in the
7 wings. So we'll need a
8 motion.

9 SHAWN KEENAN: Keenan
10 out of Wende. Before we
11 make this motion, what are
12 the legal ramifications?
13 What can they do to us, if
14 we don't go back to the
15 table? The Taylor Law
16 violation, what does it
17 charge us with?

18 BILL SHEEHAN: Well,
19 here is -- the most
20 practical consideration
21 is, if we don't go back to
22 the table, we can't just
23 say to PERB, we'll just go
24 to mediation, we'll just

208

1 continue on with impasse.
2 They'll say, no, you
3 won't. And then we say,
4 well, okay, we'll continue
5 on to interest
6 arbitration, let's say.

7 PERB controls interest
8 arbitration. They're not
9 going to approve a
10 petition to get to
11 interest arbitration
12 without us going through
13 the process.

14 BOB GLEASON: Gleason,
15 Goveurnor. I'd make a
16 motion, by the lawyers
17 description we go ahead
18 and sit down and talk.

19 PRESIDENT POWERS: Is
20 there a motion, Bob?

21 BOB GLEASON: Yeah.

22 PRESIDENT POWERS: Dave
23 is drafting one up. Can I
24 have your attention,

209

1 please? Keep in mind
2 something with PERB here.
3 We've got PERB taking our
4 back from this clear bag
5 injunction. And I'm not
6 saying that this is going
7 to tarnish a relationship
8 or whatever the case may
9 be.

10 But PERB very adamantly
11 argued for us in the
12 Supreme Court hearing a
13 week and a half ago
14 Monday, for the State to
15 stop this clear bag. And
16 they basically
17 piggy-backed. And maybe I
18 should have elaborated a
19 little more in my
20 president's report with
21 that. They piggy-backed
22 the 2002/2005 when
23 President Flanagan was in
24 office when they attempted

210

1 to restrict the size of a
2 lunchbox.

3 So keep that in mind,
4 you know, that's important
5 to understand. And I have
6 said it up here a thousand
7 times, I've said it at PAC
8 seminars, bureaucratic and
9 politics, greasy, grimy,
10 slimy, it rules the
11 fucking day. Whether you
12 like it or not, that's the
13 facts. So, I want you to
14 understand that and keep
15 that in the back of your
16 minds.

17 We have a motion made
18 by Dave Viddivo, seconded
19 by John Harmon that
20 reads: to have the
21 Collective Bargaining
22 Committee follow the
23 direction from PERB to
24 meet with GOER to continue

211

1 the negotiation process.
2 Any further discussion
3 with the motion? Is
4 anybody opposed to the
5 motion? All those in
6 favor signify by saying
7 aye.

8
9 (All respond with aye.)

10
11 PRESIDENT POWERS:

12 Anybody opposed?

13 DAVE LUTHER: Opposed.

14 PRESIDENT POWERS:

15 Thank you. Pete Stetz.

16 PETE STETZ: All right.

17 We got two proposals from
18 the Constitution and
19 Bylaws Committee. They
20 are up for second
21 readings. The first one
22 is from Shawn Carlson,
23 reflecting on both the
24 election of officials and

212

1 committees. We'll start
 2 with Article 6, election
 3 of officials, sector --
 4 Section A, Sector
 5 stewards.
 6 Follow along, right
 7 down to the second
 8 paragraph, elections of
 9 sector stewards shall be
 10 held for each sector. And
 11 he's lining out as soon as
 12 practical, in the event
 13 not more than sixty days
 14 following the
 15 certification of the
 16 association. Term of
 17 office, sector stewards,
 18 shall be two years.
 19 Adding the language,
 20 commencing with the sector
 21 steward elections in 2019,
 22 the term of office shall
 23 be three years, striking
 24 shall be two years up for

213

1 Shawn Carlson signify by
 2 saying aye.
 3
 4 (All respond with aye.)
 5
 6 PETE STETZ: Anybody
 7 opposed?
 8
 9 (No response.)
 10
 11 PETE STETZ: The second
 12 submission covers three
 13 articles. I will start
 14 with the wisdom of this
 15 and then I'll go down and
 16 break down the various
 17 articles that he's
 18 changing the language of.
 19 The wisdom, to comply
 20 with the direction of the
 21 Executive Assembly,
 22 recognizing the Sergeant
 23 Liaison or law enforcement
 24 equivalent as a nonvoting

215

1 initial election.
 2 Going into Article 11,
 3 committees. He's adding
 4 the language in Section B,
 5 term of office. Committee
 6 members shall serve a two
 7 year term, commencing
 8 with -- adding this
 9 language -- commencing
 10 with the sector steward
 11 elections 2019, the term
 12 shall be three years.
 13 The wisdom, this would
 14 offset the sector
 15 elections from the
 16 Executive Board elections,
 17 to help bridge continuity
 18 of the organization. In
 19 order for it to go to
 20 member ratification to
 21 accept this proposed
 22 amendment, all those in
 23 favor of amending these
 24 two articles submitted by

214

1 official of the executive
 2 assembly. And to clarify
 3 the position of the
 4 Sergeant Liaison or law
 5 enforcement equivalent as
 6 an official of the
 7 association, and not an
 8 officer of the association
 9 slash Executive Board
 10 member, as defined in
 11 Article 9 of the
 12 constitution.
 13 First article change is
 14 Article 5, election of
 15 officers, striking Section
 16 B, removing that totally.
 17 Section C, we changed to
 18 B, becoming eligibility.
 19 In the creation of Section
 20 E, Sergeant Liaisons or
 21 law enforcement equivalent
 22 reads as follows:
 23 Statewide elected Sergeant
 24 liaisons or law

216

1 enforcement equivalent
 2 official, will serve a
 3 member of the executive
 4 assembly with all the
 5 rights of the Executive
 6 assembly except the right
 7 to vote. To be elected
 8 simultaneously with the
 9 Executive Board and a
 10 three year term of office
 11 as set forth in Article 5,
 12 Section A. Only
 13 supervisors can vote on
 14 this position.
 15 To be eligible for this
 16 position you must meet the
 17 supervisor's criteria.
 18 And one, be at least
 19 twenty-one years of age at
 20 the time of election.
 21 Two, has been an active
 22 member in continuous good
 23 standing for a period of
 24 two consecutive years as

217

1 We have a second
 2 reading on this proposed
 3 amendment. All those in
 4 favor of sending this to
 5 membership for
 6 ratification signify by
 7 saying aye.
 8
 9 (Response of aye from
 10 the floor.)
 11
 12 PETE STETZ: Anybody
 13 opposed?
 14
 15 (Response of nay from
 16 the floor.)
 17
 18 PETE STETZ: Stand
 19 please. Motion passes.
 20
 21 PETE STETZ: Thank you.
 22 PRESIDENT POWERS:
 23 Dave?
 24 TREASURER VIDDIVO:

219

1 of the date of election.
 2 Three, served as an
 3 association official or
 4 officer, not less than six
 5 consecutive months.
 6 Fourth, has not been
 7 otherwise disqualified
 8 under any other provisions
 9 as set forth in this
 10 constitution.
 11 Second article change
 12 is with Article 10, the
 13 Executive Assembly,
 14 Section A. Adding the
 15 language, the voting body
 16 of the Executive Assembly
 17 shall consist of members
 18 of the Executive Board.
 19 All chief sector stewards
 20 of the association, adding
 21 this line, and the
 22 nonvoting Sergeant's
 23 Liaison or law enforcement
 24 equivalent.

218

1 Good afternoon again.
 2 The finance committee met
 3 today. We had several
 4 items to discuss. We were
 5 charged with looking at
 6 the motion that was made
 7 by Brother Butler at the
 8 last EA regarding a
 9 statewide meeting.
 10 In our discussions we
 11 talked about the cost,
 12 which we believe would be
 13 quite high. The fact that
 14 the membership has the
 15 ability to come to the
 16 Executive Assembly every
 17 two months to see what
 18 happens, ask questions, be
 19 a part of what we do. And
 20 there's another thing we
 21 talked about, mainly the
 22 cost.
 23 Because of those
 24 reasons, we're

220

1 recommending nonadoption
2 for that motion to have a
3 statewide meeting. We
4 also talked about cleaning
5 up the stipend policy.
6 There's been discussion
7 who gets stipends, how
8 much they are, who
9 shouldn't get them.

10 We're going to defer
11 that to August and have
12 that ready for the new
13 elections, talk about the
14 positions, other than the
15 Executive Board of course
16 because that is
17 constitutional as far as
18 what they get paid. But
19 this would be for
20 sergeant's Liaison,
21 grievance directors,
22 staffing, retirement,
23 assistant BAs I guess you
24 call them. Assistants in

221

1 final able to do that.
2 Ultimately, we asked for
3 thirty spots that's all
4 they were willing to give
5 us originally, but they --
6 for whatever reason, they
7 decided not to go ahead
8 with building a garage
9 over there and they're
10 giving us the whole
11 parking lot again.

12 Which, gives me an
13 opportunity to tell our
14 broker to put the ground
15 floor back on the market,
16 so I directed him to do
17 that so hopefully we'll
18 get that leased as well.

19 And finally, I was
20 given another
21 constitutional amendment
22 to look at when the
23 constitutional and bylaws
24 committee met about three

223

1 the office staff, what
2 have you. We're going to
3 work on that in August and
4 have that ready for you in
5 the September EA.

6 We also talked about
7 two leases. We signed a
8 lease with Equinox for the
9 first floor there.
10 They're actually moving in
11 today as we speak. It's
12 going to be a six year
13 lease. Approximately four
14 thousand dollars a month
15 we'll be taking in for
16 that. It increases the
17 last year to approximately
18 forty-five hundred
19 dollars.

20 In signing them up for
21 a lease at Hackett, we
22 also had to sign a lease
23 for the parking lot across
24 the street, which we were

222

1 weeks ago, I believe, four
2 weeks maybe. They gave me
3 a constitutional amendment
4 that would refund dues to
5 every elected official
6 after their term.

7 Just quick math, that
8 would be about \$1,600,000
9 that we would have to
10 refund elected officials
11 every three years. We
12 recommend nonadoption for
13 that as well. The price
14 is a little high. I tried
15 to get the chiefs to put
16 their dues back and give
17 it to the membership which
18 is a good thing to do.
19 This would not be anywhere
20 near feasible for us to
21 give \$1,600,000 back to
22 all the stewards every
23 three years. Love to do
24 it, but not fiscally -- is

224

1 it fiscally doable, but
2 not recommended. That's
3 all I have. Thank you.
4 Any questions?

5
6 (No response.)

7
8 TREASURER VIDDIVO

9 Thanks.

10 PRESIDENT POWERS:

11 Eladio, Veterans?

12 ELADIO MARTINEZ: Good
13 afternoon. Vet Committee
14 met today. And as you
15 guys know, PTSD bill for
16 the Veterans passed, as
17 Keith was talking about
18 earlier. The biggest
19 thing is the Remembrance
20 Tour, the Veterans
21 Remembrance Tour was
22 scheduled for September.

23 We ran into some
24 conflict because the

225

1 So, that's all I have
2 for now. If anybody has
3 any questions. We have a
4 few guys activated. One
5 out of the Psych Center,
6 he is in Kuwait and the
7 other one is in
8 Afghanistan. Any
9 questions?

10
11 (No response.)

12
13 ELADIO MARTINEZ:

14 Thank you.

15 PRESIDENT POWERS:

16 Kenny, publicity and
17 meetings.

18 KENNY GOLD: Sorry
19 about that, Kenny Gold,
20 Orleans. The PR Committee
21 met on May 23rd in Albany.
22 We met for the purpose of
23 meeting that day, not
24 every EA. We met with

227

1 sergeants test is in the
2 middle of that tour, of
3 the trip. So we tried
4 changing it, we tried
5 changing it to the fourth
6 week. That didn't go over
7 very well. The price of
8 the rooms increased by
9 about thirteen hundred
10 dollars. So we tried
11 changing it to September
12 11th week and that wasn't
13 good either.

14 So the only alternative
15 we have is October 2nd
16 through the 5th. And
17 right now I'm working with
18 Schaeffer Tours. And Mary
19 Gulino gave me someone
20 else's name and I'm
21 working with her as well.
22 Schaeffer Tours did not
23 work as well as it has in
24 the past.

226

1 people from Ed Lewi, which
2 is our marketing firm.
3 We discussed a lot of
4 things. We talked about
5 at our previous meeting
6 regarding where our money
7 is going; what we get,
8 what we don't get. I
9 highlighted -- everybody
10 should have got the
11 minutes from that meeting
12 passed out by the
13 Sergeant-At-Arms.

14 But the first thing is
15 Ed Lewi saves us about
16 fifteen percent right off
17 the top because they're
18 kind of like a -- they're
19 basically our broker.
20 They're our marketing
21 firm.

22 So we spent about four
23 hundred thousand dollars
24 is the number they sent

228

1 us. We get about four
2 hundred thousand dollars
3 worth of commercials and
4 there's really no radio
5 ads, but we save fifteen
6 percent right off the top
7 so we only paid three
8 hundred and forty
9 thousand.

10 They told us our TV
11 spots that we actually
12 have, the commercial
13 that's out there, plays
14 during the first two weeks
15 of the month because it
16 saves more than in the
17 second two weeks.
18 Obviously a lot of car
19 dealerships buy up at that
20 time; more viewers
21 apparently are in the
22 first few -- or during the
23 first of the month.

24 We have an abundance of

229

1 frustration we had and we
2 spoke with Ed Lewi
3 themselves, is that our
4 own members -- we're not
5 aiming our PR campaigns
6 towards the membership.
7 But if our own members
8 aren't seeing it, aren't
9 seeing our commercials or
10 aren't seeing anything
11 that we're doing, then how
12 the hell are the public
13 supposed to see it?

14 So, we'd be the first
15 people to pick it up. So
16 they went back -- they
17 went a little -- I'll give
18 you a quick little spot.
19 They went with a lot of
20 Spectrum, I can speak from
21 the Buffalo area.
22 Spectrum is used rarely.
23 I can't speak for every
24 other area. So we should

231

1 PR spots that are actually
2 in a lot of sporting
3 events. They gave us a
4 whole packet. You kind of
5 go down the rest of the
6 list, the majority of our
7 PR spots are in the Albany
8 area. They say they
9 centralized there because
10 of the legislators.

11 The committee pretty
12 much disagreed with that
13 whole thing. Probably
14 eighty percent of the PR
15 that we have actually
16 plays right here in
17 Albany. And the theory
18 behind, you know, the
19 legislators are here in
20 Albany.

21 The committee dismissed
22 that because legislators
23 have places to be back
24 home. And the biggest

230

1 go back, maybe they should
2 do some sort of survey to
3 see what's utilized more.
4 Some people use FIOS, some
5 people don't even use
6 cable because a lot of
7 people are streaming
8 nowadays.

9 So as our broker firm,
10 they're actually going to
11 look at redoing exactly
12 where we spend our money
13 and what we spend it on.
14 That being said, our
15 meeting today was focused
16 strictly on what
17 commercials we actually
18 have. Because a lot of
19 people have the
20 commercials we have isn't
21 nice. There's a lot of
22 other things that people
23 want to see out there.

24 There's a lot of things

232

1 going on, such as the
 2 NYCLU settlement, such as
 3 the clear bags, such as
 4 all this stuff that's
 5 being forced down on us
 6 over the nothing is
 7 changing in the
 8 departmental So, we're
 9 going to come back and
 10 meet -- the next meeting
 11 we're going to have, our
 12 goal is to have some sort
 13 of different commercial
 14 campaign, as well maybe a
 15 radio campaign. Kind of
 16 try to have, at least the
 17 ideas, obviously we can't
 18 make the commercials. But
 19 have ideas to come back
 20 and say we want to have a
 21 two prong attack on how to
 22 better market and put out
 23 to the public exactly what
 24 we're doing in NYSCOPBA we

233

1 utilize the system that
 2 Dave Viddivo had in place
 3 which was every ticket
 4 that we had it had who
 5 actually was issued the
 6 ticket, when the money
 7 came back. They can't
 8 utilize any of our
 9 mechanisms that we had in
 10 place.

11 We wanted their
 12 attorneys to go back and
 13 see basically if we can
 14 transform what we have to
 15 them. So in theory,
 16 instead of NYSCOPBA
 17 getting the money, the
 18 twenty dollars per ticket,
 19 it would essentially go
 20 back to Make-A-Wish
 21 basically said everything
 22 that we talked about, they
 23 can't do. They're not
 24 going to over the their

235

1 deal with daily.
 2 The other thing we have
 3 on -- going back to the
 4 previous meeting in
 5 Albany, we met with the
 6 CEO of Make-A-Wish as well
 7 their attorney, to try to
 8 hammer out -- trying to go
 9 back to the raffle, try to
 10 hammer out the little
 11 details before we actually
 12 have that meeting with the
 13 Gaming Commission that
 14 we're looking to have, to
 15 possibly have another
 16 raffle.
 17 Their attorney went
 18 back and forth. We had
 19 some ideas such as making
 20 us associate members so
 21 that we could actually
 22 sell raffle tickets. That
 23 was a big thing, as well
 24 as Make-A-Wish couldn't

234

1 board and their bylaws.
 2 So, that being said, we're
 3 going to go ahead and our
 4 attorney, Greg Meyers is
 5 in the middle of setting
 6 up a meeting with the
 7 Gaming Commission. I
 8 can't tell you when it
 9 will be set up, but he's
 10 working on setting that
 11 up. Any questions for me?
 12 VP MID-HUDSON MAZZELLA:
 13 Sure. Mike Mazzella,
 14 MID-Hudson. Did we look
 15 at possibly looking at
 16 another charity instead of
 17 Make-A-Wish. I'm not
 18 using this as an example
 19 thinking we should do this
 20 particular charity, but I
 21 know someone that -- a
 22 small group of people that
 23 sells raffles to win a
 24 Harley Davison and they

236

1 raised fifteen thousand
2 dollars for Wounded
3 Warrior. Over the Wounded
4 Warrior takes the money
5 with no issues.

6 KENNY GOLD: Yeah, that
7 was something we talked
8 about. And we only
9 utilized Make-A-Wish
10 because we had the
11 previous experience with
12 them, just to try to see
13 if we could gap anything
14 together. The biggest
15 thing that we would be
16 worried about if we did
17 another organization,
18 would be, you still have
19 to -- if you do a big
20 gaming one, the one we
21 were almost about to do,
22 the truck or whatever all
23 that stuff was, we still
24 got to get a statewide

237

1 for that and we can look
2 at other organizations as
3 well. Any other
4 questions?

5
6 (No response.)

7
8 KENNY GOLD: Thanks.

9
10 PRESIDENT POWERS: Move
11 to unfinished business.
12 Do we have any unfinished
13 business?

14
15 (No response.)

16
17 PRESIDENT POWERS: New
18 business. We have a
19 couple. We'll need sixty
20 percent of membership to
21 move. All in favor
22 signify by saying aye.

23 VP WEST MIANO: What's
24 it for?

239

1 one.

2 So, one way or the
3 other we would like to
4 meet with the Gaming
5 Commission. And we also
6 talked about, I did forget
7 to say, we don't want to
8 just go to the Gaming
9 Commission with just us.
10 There's fire companies and
11 all these others that
12 utilize people like us,
13 individuals and
14 organizations like us to
15 raise a lot of money. The
16 fire companies, they
17 pay -- the taxes are going
18 up because these fire
19 companies can't have the
20 big raffles like they used
21 to.

22 Totally getting off
23 your question. The goal
24 is we only utilized them

238

1 PRESIDENT POWERS: What
2 Brother Luther talked
3 about at the microphone.
4 All in favor signify by
5 saying aye.

6
7 (All respond with aye.)

8
9 PRESIDENT POWERS:
10 Motion reads: To amend
11 the Rainy Day Fund
12 procedure in regards to
13 disbursement of funds to
14 approved members. That
15 all expenditures be made
16 via direct deposit method
17 to an account of the
18 member's choice. This
19 would cease the issuing of
20 paper checks being issued.

21 Motion is made by Dave
22 Luther, Sing Sing and
23 seconded by Kevin
24 Donnelly, Coxsackie. Any

240

1 discussion?
2 VP WEST MIANO: Joe
3 Miano, Western Region VP.
4 What if the people don't
5 want direct deposit or
6 they don't have a checking
7 account?

8 PRESIDENT POWERS: It
9 leaves it up to their
10 choice.

11 VP WEST MIANO: That's
12 what it says on there?

13 PRESIDENT POWERS: All
14 expenditures to be made
15 via direct deposit to an
16 account of the member's
17 choice. Motion reads to
18 have all checks sent to a
19 direct deposit. Was that
20 the intent of the motion?

21 DAVE LUTHER: Luther,
22 out of Sing Sing. It is
23 to handle the payments of
24 Rainy Day Fund that we

241

1 the job.
2 PRESIDENT POWERS:
3 That's a lot of work.
4 Dave?

5 TREASURER VIDDIVO:
6 I'm not opposed to this
7 at all, but I would like
8 to ask, I sent the e-mail
9 over to Norvest, I haven't
10 gotten a response yet.
11 Can we table this until
12 tomorrow?

13 DAVE LUTHER: I have no
14 problem with that, we'll
15 table that until tomorrow
16 until you get the answers
17 you need.

18 TREASURER VIDDIVO:
19 Thank you.

20 PRESIDENT POWERS: Do
21 we have a second for it to
22 be tabled?

23 BILL RULAND: I will.

24 PRESIDENT POWERS: Bill

243

1 would issue to the
2 members. Members have a
3 choice to put it in a
4 account of their liking,
5 that would be the only
6 expenditures out of that
7 account. Correct, Dave?

8 TREASURER VIDDIVO:
9 Correct.

10 DAVE LUTHER: So, maybe
11 there are people out there
12 that don't have -- if a
13 member steps forward and
14 says I don't have a bank
15 account, which is usually
16 highly unlikely, but maybe
17 I'll be happy to handle it
18 at that time. I don't
19 know if he wants to hide
20 his money from his old
21 lady, then he can open an
22 account and have it sent
23 there and close the
24 account when he's back on

242

1 Ruland. Next motion, all
2 in favor signify by saying
3 aye to support the tabling
4 of this motion?

5
6 (All respond with
7 aye.)

8
9 DAVE LUTHER: I believe
10 it's tabled until
11 tomorrow, right?

12 PRESIDENT POWERS: Yes.
13 We have a motion on the
14 floor from Kevin Donnelly,
15 Coxsackie, seconded by
16 Kirk Sturgeon to accept
17 the attached regional
18 temporary assistant
19 policy. Motion made by
20 Kevin Donnelly, Coxsackie;
21 seconded by Kirk Sturgeon.

22 Was that the
23 constitutional amendment
24 that you already got

244

1 approved for, correct?
2 VP WEST MIANO: No he
3 didn't.

4 PRESIDENT POWERS: No,
5 okay. Do you have the
6 policy in front of you?
7 Membership has the policy
8 in the packet. All right
9 Joe?

10 VP WEST MIANO: The
11 issue I have with the
12 motion to treat a policy
13 for temporary assistants,
14 it takes control out from
15 the regional vice
16 president or the law
17 enforcement vice president
18 who may need the help.

19 I said this last EA in
20 reference to what the
21 regional vice presidents
22 and law enforcement vice
23 presidents do on a daily
24 basis. That a lot of

245

1 this because we want
2 somebody to hang out with.
3 We're doing it because we
4 don't have the necessary
5 help to provide the
6 services that each and
7 every member in that
8 region or law enforcement
9 deserves.

10 PRESIDENT POWERS:
11 Dave?

12 TREASURER VIDDIVO:
13 That got talked about when
14 this was brought up at the
15 last EA. Once again, we
16 have to think about this
17 being an unfunded mandate
18 to a policy that could
19 cost six hundred and fifty
20 to seven hundred and fifty
21 thousand dollars a year
22 each region to bring
23 somebody out. So I'm
24 asking you to keep that in

247

1 people in this room don't
2 know unless you are
3 affected directly by it.
4 Whether it be an IME exam,
5 attending a members
6 funeral, Q and A,
7 arbitration, step twos;
8 the list goes on and on.

9 The thing is it that
10 the EA is going to have
11 control whether or not
12 that regional vice
13 president does or doesn't
14 need help. And I have a
15 big issue with that
16 because most of the people
17 in this room don't know
18 what they do every day.

19 And if they have any, I
20 can answer the question,
21 but it's in-depth as far
22 as what we do on a daily
23 basis for the membership.
24 It's not that we're doing

246

1 mind when you're voting on
2 this.

3 PRESIDENT POWERS: Joe?
4 JOE BUTLER: Butler,
5 Gowanda. I'm going to ask
6 for a weighted roll call
7 vote.

8 PRESIDENT POWERS: Any
9 other discussion? Hang
10 on, Kenny. Let's stay in
11 line with the discussion.
12 Pete? Unless you're going
13 to second the motion, I'm
14 sorry, Kenny.

15 KENNY GOLD: Kenny
16 Gold, Orleans. I didn't
17 see anything in the motion
18 though, we had talked
19 about, is this position an
20 employee or is it a
21 steward? Because there's
22 still nothing in there
23 that specifies in the
24 election committee

248

1 guidelines. You can't
2 have -- you can't carry
3 two positions at NYSOPBA
4 at once. So what would
5 this fall under?

6 PETE STETZ: When we
7 discussed this at
8 committee meeting, we
9 collectively decided to
10 pull it out as I, I
11 withdrew it as a
12 constitutional amendment,
13 and change it and agreed
14 to submit it forward as a
15 policy; adopting a policy
16 for this organization.

17 As far as what, Kenny,
18 what you're bringing up,
19 it still states in Section
20 C, let me get it right
21 here, in regards to
22 selecting a primary, an
23 alternative, etcetera,
24 it's having bodies

249

1 calendar year. By putting
2 these checks and balances
3 in, we're not keeping an
4 individual out for an
5 entire year.

6 TREASURER VIDDIVO: You
7 may.

8 PETE STETZ: Correct,
9 you might. You might.
10 This is what our cost
11 would be for one to six
12 members. But if the
13 regions have got that much
14 of a workload for a year,
15 instead of keeping a
16 temporary, why not reach
17 out to the organization
18 and make it a permanent
19 one. I mean, are we
20 staffing for emergencies
21 or are we not? That's the
22 question to ask.

23 KENNY GOLD: I guess my
24 question was, I was

251

1 available to assist the
2 regional VP when the time
3 is needed. And, Joe, as
4 you brought up, we cannot
5 see what the region has.
6 And you're stuck on the
7 Executive Assembly.

8 It's not just the
9 Executive Assembly. It's
10 also for the E Board. So
11 it's a month to month
12 evaluation. So when the
13 individual comes out, you
14 say you need him for three
15 to four weeks; you got him
16 for that month. Come the
17 next E Board meeting, the
18 E Board reviews, do we
19 still need the individual
20 out? Yes or no.

21 And we go forward from
22 there. Dave, you're
23 bringing out the whole
24 full amount for the

250

1 talking about when they
2 come out and the
3 individual is actually out
4 on union leave, are they
5 an employee or are they a
6 steward? And secondly, I
7 don't think Dave was
8 talking that it cost, just
9 for clarification, I don't
10 think it costs seven
11 hundred fifty thousand
12 dollars for one person to
13 be out for a whole year.

14 PETE STETZ: That would
15 be the most expensive --

16 KENNY GOLD: Just to
17 make sure it was
18 clarified. So, are they a
19 steward or --

20 PETE STETZ: They are a
21 steward, an elected
22 steward of that region.
23 There is -- we are not
24 opening it up to the

252

1 entire membership. You
 2 want a steward, that's
 3 obvious in the region,
 4 then you can come out.
 5 KENNY GOLD: I'm trying
 6 to make sure it's clear
 7 because you can't have two
 8 positions in NYSCOPBA at
 9 once. So, if I go out
 10 based on the constitution,
 11 if someone comes out as a
 12 temporary business agent,
 13 support staff, whatever it
 14 may be, and they're out on
 15 union leave, and the
 16 elections come up, like
 17 right now, say they pull
 18 you out on union leave,
 19 how can you possibly be a
 20 steward in the facility.
 21 And then you honestly
 22 can't go to the next turn
 23 because you can only hold
 24 it if you're a steward.

253

1 being out, it's in the
 2 constitution about
 3 appointing for vacancy.
 4 It's not a permanent
 5 vacancy. If you read the
 6 constitution, when a
 7 vacancy occurs, the
 8 elected stewards, the
 9 Executive Board at the
 10 local can appoint to fill.
 11 And if you want -- if
 12 you need to bring someone
 13 on temporarily, you can do
 14 so. Obviously you let the
 15 membership know what's
 16 going on, but you got a
 17 body to fill that stop.
 18 KENNY GOLD: I get
 19 that. Maybe I'm not
 20 making it clear enough.
 21 If you go out on union
 22 leave, that is your
 23 position, temporary,
 24 whatever we want to call

255

1 So, how does that work?
 2 I'm not asking about
 3 being re-elected. You
 4 come out on union leave
 5 right now, and the
 6 election time is going on
 7 right now, how can you be
 8 a steward in the facility
 9 if you're out on union
 10 leave because then you
 11 would be holding two
 12 positions in the union at
 13 once.
 14 And then you say you
 15 have to be a steward to be
 16 in this position, you're
 17 only out for a month, you
 18 won't be a steward so you
 19 can't be a steward in the
 20 facility.
 21 PETE STETZ:
 22 Temporarily. And if the
 23 facility needs that
 24 assistance because of you

254

1 it, at the local level at
 2 your jail or work site,
 3 you can't be a steward
 4 there because you would be
 5 a steward at your facility
 6 or you're going to be
 7 temporary.
 8 I'm talking what
 9 happens local in the
 10 facility or work site to
 11 that individual. Not what
 12 happens after you come
 13 out.
 14 VP LAW ENFORCEMENT
 15 HARMON: You have to
 16 relinquish one job or the
 17 other.
 18 KENNY GOLD: That's
 19 what i'm trying to say.
 20 You have to relinquish the
 21 job as a steward, but per
 22 this policy you have to be
 23 a steward to be a
 24 temporary, whatever.

256

1 VP LAW ENFORCEMENT
 2 HARMON: The EA made a
 3 determination last year
 4 that you couldn't do this,
 5 that's why this year, I'll
 6 use Al Christian, for
 7 example, you couldn't run
 8 for steward this year
 9 because it was a
 10 determination by the
 11 Executive Assembly before
 12 the elections, that you
 13 can't be a steward and be
 14 temporary staff support or
 15 whatever you want to call
 16 it. That was the EA's
 17 wish last year.
 18 KENNY GOLD: So you
 19 can't hold two positions?
 20 VP LAW ENFORCEMENT
 21 HARMON: You cannot.
 22
 23 (Comments from the floor.)
 24 KENNY GOLD: That's

1 Executive Assembly. And
 2 it goes on in the next
 3 paragraph talking about
 4 that it will be reviewed
 5 again by the Executive
 6 Assembly.
 7 So, to the maker of the
 8 motion, I'm addressing to
 9 the Chair, which is
 10 proper, is that you still
 11 need approval from the
 12 Executive Assembly for a
 13 regional vice president or
 14 a law enforcement vice
 15 president to bring out
 16 temporary help, period.
 17 PRESIDENT POWERS:
 18 That's how it reads?
 19 PETE STETZ: Ultimately
 20 the Executive Assembly is
 21 the governing body of this
 22 organization. That's why
 23 it's worded as such. But
 24 the checks and balances,

1 what I'm trying to say.
 2 Sorry, maybe it took too
 3 long.
 4 PRESIDENT POWERS: Joe?
 5 VP WEST MIANO: In the
 6 policy Section 3 in the
 7 last sentence, if
 8 approved, the regional
 9 vice president will call
 10 out the union, on union
 11 leave, the individual
 12 designated by the region
 13 as a primary temporary
 14 assistant. And if that
 15 individual is unavailable
 16 or unable to serve, an
 17 alternative shall be used.
 18 Further, the Executive
 19 Assembly will take actions
 20 to review the need for the
 21 temporary assistant and
 22 take action to approve or
 23 disapprove such leave at
 24 the regularly, scheduled

1 again is a monthly review.
 2 The E Board and followed
 3 up by an EA.
 4 PRESIDENT POWERS:
 5 Mike?
 6 VP MID-HUDSON MAZZELLA:
 7 Mike Mazzella, Mid Hudson.
 8 So just to get this one
 9 part clarified, if an
 10 acting steward or current
 11 steward is brought out as
 12 temporary project staff,
 13 we've been through this,
 14 right, over the years --
 15 VP WEST MIANO: When
 16 you say project staff --
 17 VP MID-HUDSON MAZZELLA:
 18 I understand what you're
 19 saying, but if they were
 20 project staff they would
 21 keep their steward
 22 position, correct?
 23 VP LAW ENFORCEMENT
 24 HARMON: No.

1 VP MID-HUDSON MAZZELLA:
 2 If they come out project
 3 staff, they can keep their
 4 steward position, correct?
 5 John Harmon is saying no.
 6 TREASURER VIDDIVO:
 7 We've always done that.
 8 VP MID-HUDSON MAZZELLA:
 9 We've done that in the
 10 past, that's why I'm
 11 asking.
 12 VP LAW ENFORCEMENT
 13 HARMON: This election,
 14 the Election Committee
 15 brought this up last year.
 16 Because this was -- this
 17 conversation happened, and
 18 last year the conversation
 19 was you were going to
 20 allow the two temporary to
 21 continue which was Kenny
 22 and Al to continue for
 23 this election cycle only.
 24 But once this election

261

1 cycle hit, if they were
 2 still out, they had to
 3 make a decision, if they
 4 were going to be a
 5 steward; then they had to
 6 go back. If they wanted
 7 to be staff support, they
 8 can stay. You had to make
 9 a decision which one you
 10 wanted to take. Because
 11 it was the direction of
 12 the body that you had to
 13 only be in one position.
 14 VP MID-HUDSON MAZZELLA:
 15 Does anybody else in this
 16 body recall that
 17 situation?
 18 VP WEST MIANO:
 19 Absolutely. Under
 20 Election Committee because
 21 it came up for that
 22 reason.
 23
 24 (Discussion on the

262

1 floor.)
 2
 3 PRESIDENT POWERS: The
 4 Motion is out of order.
 5 We can all -- we'll
 6 research this. Joe?
 7 JOE BELLINGER: Joe
 8 Bellinger, Willard,
 9 Election Committee.
 10 PRESIDENT POWERS:
 11 Stand by. Any objection
 12 to taking this back, doing
 13 some research on it and
 14 finding out just exactly
 15 what transpired with the
 16 decision of this body
 17 before we move this
 18 motion.
 19 I'll need approval from
 20 the maker of the motion,
 21 Kevin and -- Kevin
 22 Donnelly, approval from
 23 the body? Any objections
 24 to having the maker of the

263

1 motion to table this, to
 2 reserve judgment and
 3 research to find out
 4 exactly where we sit and
 5 iron out the fine details?
 6 Anybody opposed to
 7 that? Seeing none, we'll
 8 sit on this until the next
 9 one and we'll come back
 10 with the answers. Any
 11 other new business?
 12 David?
 13 TREASURER VIDDIVO:
 14 Mike, this is actually
 15 old. Okay, I'll call it
 16 new business. We have new
 17 business that we have to
 18 finish. The
 19 recommendation from the
 20 finance committee for the
 21 motion that was made at
 22 the last EA to have a
 23 statewide meeting has to
 24 be addressed at this

264

1 meeting.
 2 I don't remember it
 3 verbatim. Joe, maybe you
 4 can help us with that.
 5 But we need to address
 6 that.
 7 JOE BUTLER: Butler,
 8 Gowanda. Well, if you
 9 don't want to call it a
 10 statewide meet and greet
 11 for candidates running for
 12 office. You can call it a
 13 statewide meet and greet
 14 for candidates.
 15 TREASURER VIDDIVO: Do
 16 you want to entertain the
 17 motion.
 18 JOE BUTLER: No,
 19 approval from this body to
 20 withdraw the motion.
 21 PRESIDENT POWERS: All
 22 in favor signify by saying
 23 aye.
 24

265

1 for DOCCS.
 2 Again, I don't think
 3 she's in the room anymore,
 4 we're losing another fine
 5 one in the office. Susan
 6 Cunningham, we wish her
 7 the best in her
 8 retirement; and a long and
 9 healthy retirement.
 10 Tomorrow morning, come
 11 down and grab your lunch
 12 box, take it home with
 13 you. There's usually
 14 plenty. John Harmon,
 15 welcome back.
 16

(All applause.)

17
 18
 19 VP LAW ENFORCEMENT
 20 HARMON: Thank you. I
 21 didn't get a chance to
 22 thank everybody. I had a
 23 bunch of people call. If
 24 you came to the hospital

267

1 (All respond with
 2 aye.)
 3
 4 PRESIDENT POWERS
 5 Anybody Opposed?
 6
 7 (No response.)
 8
 9 PRESIDENT POWERS
 10 Thank you. Any other new
 11 business? Couple things
 12 to follow up with real
 13 quick. There was a lot of
 14 reporting, and I'm sure,
 15 nobody has asked, there is
 16 no new commissioner.
 17 There is a new State
 18 Commissioner on the
 19 Commission of Corrections,
 20 which is just a
 21 bureaucratic body
 22 commissioned by the state.
 23 A former sheriff, he is
 24 now the new commissioner

266

1 and I didn't acknowledge
 2 you, I don't remember you
 3 were there. I really
 4 appreciate it. I know
 5 Mike Mazzella had his
 6 group come out to see me
 7 when I was in rehab but I
 8 really appreciate it.
 9 VP MID-HUDSON MAZZELLA:
 10 Mike Mazzella, I just want
 11 to give everybody a little
 12 bit of information. Two
 13 very strange incidents,
 14 one at Green Haven
 15 Correctional facility, one
 16 at Eastern, within a week
 17 of each other.
 18 At Green Haven a
 19 visitor tried to smuggle
 20 in two nine millimeter
 21 rounds; at Eastern they
 22 found a twenty-two caliber
 23 round in a visitors room
 24 on the floor.

268

1 Everybody be aware
2 that -- to me, if feels
3 like something is going
4 on. So keep your heads on
5 the swivel, be very
6 diligent in your work in
7 searching for contraband
8 and we really got to watch
9 these visitors coming into
10 the facilities.
11 Thank you.

12 PRESIDENT POWERS:
13 Thanks, Mike.

14 VP WEST MIANO: Joe
15 Miano, Western Region VP.
16 Just want to recognize
17 Jeff Marsowicz, it's going
18 to be his last EA. He
19 technically officially
20 retired last week. For
21 all the outgoing chiefs
22 and stewards that aren't
23 going to choose to run for
24 re-election, thank you for

269

1 believe they're online
2 now.

3 DAVE LUTHER: They're
4 online now?

5 PRESIDENT POWERS:
6 Right, Steph? Do we have
7 the January 16 meeting
8 minutes?

9 DAVE LUTHER: We have
10 them. But what about
11 meetings after that?

12 PRESIDENT POWERS:
13 We're up to speed, right
14 now we're putting an
15 agenda together.

16 DAVE LUTHER: That's my
17 point. I believe there's
18 been two or three labor
19 management meetings
20 since --

21 PRESIDENT POWERS:
22 They're all signed and
23 they are, I believe
24 they're online. If not,

271

1 all your help and good
2 luck to you.

3
4 (All applause.)

5
6 PRESIDENT POWERS:
7 David?

8 DAVE LUTHER: Yes. Not
9 to prolong today, but I do
10 have a question. It's
11 been gnawing at me for a
12 while. We spoke in the
13 past in reference to
14 statewide labor management
15 minutes. And the last one
16 we have on record is from
17 January of 2016, with
18 promises they were coming.
19 Have they followed through
20 and provided NYSCOPBA with
21 the minutes of labor
22 management meetings from
23 that point forward.

24 PRESIDENT POWERS: I

270

1 they will be soon.

2 DAVE LUTHER: Okay.
3 I'll call Mary and ask her
4 to send them to me.
5 Thanks.

6 PRESIDENT POWERS: I
7 can send them to you
8 actually, Dave, if you
9 remind me.

10 PAUL MIKOLAJCZYK: Sing
11 Sing, just a shout out,
12 like Joe said, Dave
13 Abanator, thank you for
14 your time and service. I
15 know you're not running
16 for re-election.
17 Thank you.

18 PRESIDENT POWERS:
19 Let's all recognize the
20 duties and thankless jobs
21 that we do. More
22 importantly in the unit
23 sector level, in light of
24 what we're dealing with on

272

1 a continual basis, as
2 Brother Mazzella
3 mentioned. These are
4 times that we've been
5 discussing in this room
6 for some time now and
7 they're dangerous times.
8 And our jobs are
9 dangerous.

10 It comes in all aspects
11 of our memberships;
12 correction, law
13 enforcement, every aspect
14 of it. And we see this
15 way across the country
16 towards law enforcement.
17 With that being said, keep
18 an eye out for your
19 brothers and sisters.

20 As we mentioned
21 earlier, there's placards
22 out there, we're going to
23 look to maybe get some
24 windshield decals, I

1 VP SOUTH FISHER:
2 Second.
3 PRESIDENT POWERS:
4 Thank you. See you all in
5 the morning.

8 * * * *

1 believe. If you don't
2 have them, they're out
3 front. These are your
4 vote not to the
5 constitutional convention.

6 And again, go to our
7 website, log in, and start
8 informing yourself
9 regarding Janus versus
10 AFSCME. Oh, Dave and Al
11 are over there, go on and
12 pick up a stack hand them
13 out. When we get the yard
14 signs fabricated, we'll be
15 distributing them, getting
16 them out into the regions
17 and all over the state.
18 That being said, anybody
19 got anything else? Thanks
20 for coming. Thanks for
21 your service. Motion to
22 adjourn?

23 VP MID-HUDSON MAZZELLA:
24 Motion to adjourn.

1 STATE OF NEW YORK)
2 SS:
3 COUNTY OF ERIE)

4
5 I, DARLENE L. JERGE, a
6 Notary Public in and for the State
7 of New York, County of Erie, DO
8 HEREBY CERTIFY that the MINUTES of
9 the EXECUTIVE ASSEMBLY, were taken
10 down by me in a verbatim manner by
11 means of Machine Shorthand, on JUNE
12 28, 2017. That the MINUTES were
13 then reduced in writing under my
14 direction.

15 I further CERTIFY that
16 the above-described transcript
17 constitutes a true and accurate and
18 complete transcript of the minutes
19 taken.

20
21 
22 -----
23 DARLENE L. JERGE,
24 Notary Public.

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