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 2 -----
 3 NEW YORK STATE
 4 CORRECTIONAL OFFICERS AND POLICE
 5 BENEVOLENT ASSOCIATION
 6 EXECUTIVE ASSEMBLY
 7
 8 SEPTEMBER 13-14, 2017
 9 The DoubleTree Inn
 10 Syracuse, New York
 11
 12 Volume I
 13 Wednesday Session
 14 -----
 15
 16
 17
 18 STENOGRAPHIC MINUTES of the
 19 above-entitled matter as reported
 20 by DARLENE L. JERGE, Notary Public
 21 and Shorthand Reporter in and for
 22 the State of New York.
 23
 24 Darlene L. Jerge, Court Stenographer

1

1 AGENDA

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5 Moment of silence 7

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1 MOTIONS

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4 To approve the Minutes 25

5 To move to allow R. Brunelle to serve
as acting VP North 69

6 To move to go off agenda 130

7 To move to adjourn 206

8

9 DISPOSITION OF MOTIONS

10

11 To approve the minutes -- carried 25

12 To move to allow R. Brunelle to serve
as acting VP North-- carried 69

13 To move off the agenda -- carried 130

14 To move to adjourn -- carried 206

15

16

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3

1 APPEARANCES:

2 OFFICERS PRESENT:

3 MICHAEL POWERS, President

4 TAMMY SAWCHUK, Executive Vice
President

5 DAVID VIDDIVO, Treasurer

6 MICHAEL DILDINE, Recording
Secretary

7

8

9 Vice Presidents

10 MICHAEL MAZZELLA, Mid-Hudson

11 PAUL LASHWAY, Central

12 RICHARD BRUNELLE, Acting Northern

13 CLARENCE FISHER, South

14 JOHN HARMON, Law Enforcement

15 JOE MIANO, Western

16

17 Also Present:

18 Bill Sheehan, Esq.

19 Keith Jacques, Esq.

20 Steven Anderson, Parliamentarian

21

22

23

24

4

1 PRESIDENT POWERS:
2 Okay. Good morning. I'll
3 call the meeting to order.
4 Can we all rise, please.

5
6 (All rise for moment
7 of silence and Pledge of
8 Allegiance.)

9
10 PRESIDENT POWERS
11 Thank you.
12 Sergeant-at-Arms, could we
13 have the rules read in?

14 UNIDENTIFIED SPEAKER:
15 Executive Assembly Rules
16 of Order. Anyone upon
17 entering the Executive
18 Assembly must wear the
19 NYSCOPBA identification
20 tag. Chief Sector
21 Stewards will sit in
22 designated areas when the
23 Executive Assembly is in
24 session.

5

1 PRESIDENT POWERS:
2 Here.
3 RECORDING SECRETARY DILDINE:
4 Powers, present.
5 Executive Vice President

6 Sawchuk?
7 EXECUTIVE VICE
8 PRESIDENT SAWCHUK: Here.
9 RECORDING SECRETARY
10 DILDINE:
11 Sawchuk, present.

12 Treasurer Viddivo?
13 TREASURER VIDDIVO:
14 Present.

15 RECORDING SECRETARY
16 DILDINE: Viddivo,
17 Present.
18 Recording Secretary
19 Dildine, present.
20 VP North, Brunelle?
21 ACTING VICE PRESIDENT
22 BRUNELLE:
23 Here.
24 RECORDING SECRETARY

7

1 Cellular phones are to
2 be turned off and beepers
3 are to be put on vibrating
4 mode. Recording devices
5 are prohibited unless
6 provided by membership
7 services and those
8 directed by the recording
9 secretary. NYSCOPBA
10 members in good standing
11 will be allowed to address
12 the Executive Assembly.

13 Please state your name
14 and your sector. Speakers
15 at the microphone will
16 follow the direction of
17 the Sergeant-at-Arms.
18 Thank you.

19 PRESIDENT POWERS:
20 Thank you. We'll do the
21 roll.

22 RECORDING SECRETARY
23 DILDINE: Good morning.
24 President Powers?

6

1 DILDINE:
2 Brunelle, present.
3 VP Mid-Hudson,
4 Mazzella?
5 VICE PRESIDENT
6 MAZZELLA:
7 Here.
8 RECORDING SECRETARY
9 DILDINE:
10 Mazzella, present.
11 VP Law Enforcement,
12 Harmon?

13 VICE PRESIDENT HARMON:
14 Present.
15 RECORDING SECRETARY
16 DILDINE:
17 Harmon, present.
18 VP Central, Lashway?
19 VICE PRESIDENT LASHWAY:
20 Present.
21 RECORDING SECRETARY
22 DILDINE:
23 Lashway, present.
24 VP South, Fisher.

8

1 VICE PRESIDENT FISHER:
 2 Present.
 3 RECORDING SECRETARY
 4 DILDINE:
 5 Fisher, present.
 6 VP West, Miano?
 7 VICE PRESIDENT MIANO:
 8 Here.
 9 RECORDING SECRETARY
 10 DILDINE:
 11 Miano, present. Sergeant's
 12 Liaison, Sellers?
 13 MR. SELLERS: Here.
 14 RECORDING SECRETARY DILDINE:
 15 Sellers, present.
 16 Adirondack, Sturgeon?
 17 MR. STURGEON: Here.
 18 RECORDING SECRETARY
 19 DILDINE:
 20 Sturgeon, present.
 21 Albany Training Academy,
 22 Christiano?
 23 MR. CHRISTIANO: Here.
 24 RECORDING SECRETARY

9

1 DILDINE:
 2 Plonka, present.
 3 Bedford Hills, Hale?
 4 MR. HALE: Here.
 5 RECORDING SECRETARY
 6 DILDINE:
 7 Hale, present.
 8 Cape Vincent, Call?
 9 MR. CALL: Here.
 10 RECORDING SECRETARY
 11 DILDINE:
 12 Call, present.
 13 Cayuga, Treveal?
 14 MS. TREVEAL: Present.
 15 RECORDING SECRETARY
 16 DILDINE:
 17 Treveal, present. If I
 18 say you're name wrong, let me know,
 19 I've got a couple new ones.
 20 Central New York Psych,
 21 Janes?
 22 MR. JANES: Here.
 23 RECORDING SECRETARY
 24 DILDINE:

11

1 DILDINE:
 2 Christiano, present.
 3 Albion, Thomas?
 4 MR. THOMAS: Present.
 5 RECORDING SECRETARY
 6 DILDINE:
 7 Thomas, present.
 8 Altona, Dubrey?
 9 MR. DUBREY: Here.
 10 RECORDING SECRETARY
 11 DILDINE:
 12 Dubrey, present.
 13 Attica, Feeny?
 14 MR. FEENEY: Present.
 15 RECORDING SECRETARY
 16 DILDINE:
 17 Feeny, present.
 18 Auburn, Thomas?
 19 MR. THOMAS: HERE.
 20 RECORDING SECRETARY DILDINE:
 21 Thomas, present.
 22 Bare Hill, Plonka?
 23 MR. PLONKA: Here.
 24 RECORDING SECRETARY

10

1 Janes, present.
 2 Clinton, Moore?
 3 MR. MOORE: Here.
 4 RECORDING SECRETARY
 5 DILDINE:
 6 Moore, present.
 7 Collins, Muise.
 8 MR. MUISE: Here.
 9 RECORDING SECRETARY DILDINE:
 10 Muise, present.
 11 Community Supervision,
 12 Ruland?
 13 MR. RULAND: Here.
 14 RECORDING SECRETARY DILDINE:
 15 Ruland, present. CCA's
 16 Johnson?
 17 MS. JOHNSON: Present.
 18 RECORDING SECRETARY DILDINE:
 19 Johnson, present.
 20 Coxsackie, Carknard?
 21 MR. CARKNARD: Present.
 22 RECORDING SECRETARY
 23 DILDINE:
 24 Carknard, present.

12

1 Downstate, Cooper?
 2 MS. COOPER: Here.
 3 RECORDING SECRETARY DILDINE:
 4 Cooper, present. Eastern,
 5 Osterhoudt?
 6 MR. OSTERHOUDT: Here.
 7 RECORDING SECRETARY
 8 DILDINE:
 9 Osterhoudt, present.
 10 Edgecombe, Watkins?
 11 MS. WATKINS: Present.
 12 RECORDING SECRETARY
 13 DILDINE:
 14 Watkins, present.
 15 Elmira, Rice?
 16 MR. RICE: Here.
 17 RECORDING SECRETARY
 18 DILDINE:
 19 Rice, present.
 20 Fishkill, Sonko?
 21 MR. SONKO: Here.
 22 RECORDING SECRETARY
 23 DILDINE:
 24 Sonko, present.

13

1 Guest, present.
 2 Great Meadow, Keough?
 3 MR. KEOUGH: Here.
 4 RECORDING SECRETARY
 5 DILDINE:
 6 Keough, present.
 7 Green Haven, Snedeker?
 8 MR. SNEDEKER: Here.
 9 RECORDING SECRETARY
 10 DILDINE:
 11 Snedeker, present.
 12 Greene, Barnes?
 13 MR. BARNES: Here.
 14 RECORDING SECRETARY
 15 DILDINE:
 16 Barnes, present.
 17 Groveland, Hunsinger?
 18 MR. HUNSINGER: Here.
 19 RECORDING SECRETARY
 20 DILDINE:
 21 Hunsinger, present.
 22 Hale Creek, Rowe?
 23 MR. ROWE: Here.
 24 RECORDING SECRETARY

15

1 Five Points, Nelson?
 2 MR. NELSON: Here.
 3 RECORDING SECRETARY
 4 DILDINE:
 5 Nelson, present.
 6 Forest Rangers, Carlson?
 7 MR. CARLSON: Here.
 8 RECORDING SECRETARY
 9 DILDINE:
 10 Carlson, present.
 11 Franklin, Allen?
 12 MR. ALLEN: Here.
 13 RECORDING SECRETARY
 14 DILDINE:
 15 Allen, present.
 16 Gouverneur, Gleason?
 17 MR. GLEASON: Present.
 18 RECORDING SECRETARY
 19 DILDINE:
 20 Gleason, present.
 21 Gowanda, Guest?
 22 MR. GUEST: Here.
 23 RECORDING SECRETARY
 24 DILDINE:

14

1 DILDINE:
 2 Rowe, present.
 3 Hudson, Bartle?
 4 MR. BARTLE: Here.
 5 RECORDING SECRETARY
 6 DILDINE:
 7 Bartle, present.
 8 ISO's, Ohms?
 9 MR. OHMS: Present.
 10 RECORDING SECRETARY DILDINE:
 11 Ohms, present. Kirby
 12 Forensic, Aksionau?
 13 MR. AKSIONAU: Here.
 14 RECORDING SECRETARY
 15 DILDINE: Aksionau,
 16 present.
 17 Lakeview, Gruber?
 18 MR. GRUBER: Here.
 19 RECORDING SECRETARY
 20 DILDINE:
 21 Gruber, present.
 22 Lincoln, Gelzer-Milliner?
 23 MS. MILLINER: Here.
 24 RECORDING SECRETARY

16

1 DILDINE:
 2 Milliner, present.
 3 Livingston, Henderson?
 4 MR. HENDERSON: Here.
 5 RECORDING SECRETARY .
 6 DILDINE:
 7 Henderson, present.
 8 Marcy, Powers?
 9 MR. POWERS: Here.
 10 RECORDING SECRETARY
 11 DILDINE:
 12 Powers, present.
 13 Mid Hudson psych, Noel?
 14 Mid-State, McGowan?
 15 MR. MCGOWAN: Here.
 16 RECORDING SECRETARY
 17 DILDINE:
 18 McGowan, present.
 19 Mohawk, Mullin?
 20 MR. MULLIN: Here.
 21 RECORDING SECRETARY
 22 DILDINE:
 23 Mullin, present.
 24 Moriah Shock, Gilbo?

17

1 Riverview, Aldous?
 2 MR. ALDOUS: Here.
 3 RECORDING SECRETARY .
 4 DILDINE:
 5 Aldous, present.
 6 Rochester Psych, Raven?
 7 MS. RAVEN: Here.
 8 RECORDING SECRETARY
 9 DILDINE:
 10 Raven, present.
 11 SSO Central, no
 12 representative. SSO Mid-Hudson,
 13 Smith?
 14 MR. SMITH: Here.
 15 RECORDING SECRETARY
 16 DILDINE: Smith, present.
 17 SSO Northern, no
 18 representative.
 19 SSO Southern, Pomaes?
 20 MR. POMALES: Here.
 21 RECORDING SECRETARY
 22 DILDINE:
 23 Pomaes, present.
 24 SSO West, Compton?

19

1 MR. GILBO: Here.
 2 RECORDING SECRETARY
 3 DILDINE:
 4 Gilbo, present.
 5 Ogdensburg, Cox?
 6 MR. COX: Here.
 7 RECORDING SECRETARY
 8 DILDINE:
 9 Cox, present.
 10 Orleans, Gold?
 11 MR. GOLD: Here.
 12 RECORDING SECRETARY
 13 DILDINE:
 14 Gold, present.
 15 Otisville, Pilon?
 16 MR. PILON: Here.
 17 RECORDING SECRETARY
 18 DILDINE:
 19 Pilon, present.
 20 Queensboro, Simo?
 21 MR. SIMO: Here.
 22 RECORDING SECRETARY
 23 DILDINE:
 24 Simo, present.

18

1 MR. COMPTON: Here.
 2 RECORDING SECRETARY
 3 DILDINE:
 4 Compton, Present.
 5 Security Officers,
 6 Tonney V?
 7 MR. VACHAPARAMBIL:
 8 Yes.
 9 RECORDING SECRETARY
 10 DILDINE: Tonney V,
 11 present. Security Services
 12 Assistant, Schiavone?
 13 MR. SCHIAVONE: Here.
 14 RECORDING SECRETARY
 15 DILDINE:
 16 Schiavone, present.
 17 Shawangunk, Marasco?
 18 MR. MARASCO: Here.
 19 RECORDING SECRETARY
 20 DILDINE:
 21 Marasco, present.
 22 Sing Sing, Luther?
 23 MR. LUTHER: Here.
 24 RECORDING SECRETARY

20

1 DILDINE:
 2 Luther, present.
 3 Southport, Deburgomaster?
 4 MR. DEBURGOMASTER: Here.
 5 RECORDING SECRETARY
 6 DILDINE:
 7 Deburgomaster, present.
 8 Sullivan, Bell?
 9 MS. BELL: Here.
 10 RECORDING SECRETARY
 11 DILDINE:
 12 Bell, present.
 13 Taconic, Gordon?
 14 MS. GORDON: Present.
 15 RECORDING SECRETARY DILDINE:
 16 Gordon, present.
 17 Ulster, Dean?
 18 MR. DEAN: Here.
 19 RECORDING SECRETARY
 20 DILDINE:
 21 Dean, present.
 22 Upstate, Gary?
 23 MR. GARY: Here.
 24 RECORDING SECRETARY

21

1 MR. GUTIERREZ: Here.
 2 RECORDING SECRETARY
 3 DILDINE:
 4 Gutierrez, present.
 5 Wyoming, Hickey?
 6 MR. HICKEY: Here.
 7 RECORDING SECRETARY
 8 DILDINE:
 9 Hickey, present.
 10 Okay. That'll do it.
 11 The minutes were sent
 12 out for the June EA. I'll
 13 ask for unanimous consent
 14 to accept the minutes from
 15 the June 2017 EA. All
 16 those in favor signify by
 17 saying aye.
 18
 19 (Response of "Aye".)
 20
 21 RECORDING SECRETARY DILDINE:
 22 Opposed?
 23
 24 (No Response.)

23

1 DILDINE:
 2 Gary, present.
 3 Wallkill, Holbert?
 4 MS. HOLBERT: Here.
 5 RECORDING SECRETARY DILDINE:
 6 Holbert, Present.
 7 Washington, Chaplin?
 8 Watertown, Nevills?
 9 MR. NEVILLS: Here.
 10 RECORDING SECRETARY
 11 DILDINE:
 12 Nevills, present.
 13 Wende, Keenan?
 14 MR. KEENAN: Good Morning.
 15 RECORDING SECRETARY
 16 DILDINE:
 17 Good morning. Mr. Keenan,
 18 present.
 19 Willard, Colembi?
 20 MR. COLEMBI: Here.
 21 RECORDING SECRETARY
 22 DILDINE:
 23 Colembi, present.
 24 Woodbourne, Gutierrez?

22

1 RECORDING SECRETARY DILDINE:
 2 Thank you.
 3 PRESIDENT POWERS:
 4 We'll move into the
 5 President's Report. I'm
 6 going to make this quick,
 7 we've got a EA day. We'll
 8 be breaking and adjourning
 9 I believe after lunch and
 10 attending the Attica
 11 memorial later on this
 12 afternoon and we'll be
 13 back in the morning to
 14 convene, hence the reasons
 15 for no committees this
 16 morning.
 17 I apologize, we have a
 18 valor award. Joe?
 19 VP WEST MIANO: Could
 20 we have Correction Officer
 21 Greg Edgar come up to the
 22 front of the room, please.
 23 On November 14th, 2016
 24 at approximately 8:10

24

1 a.m., Correction Officer
2 Gregory Edgar was walking
3 across the second floor
4 parking garage walkway to
5 report for his tour of
6 duty in a DOCCS secure
7 medical unit at Upstate
8 Hospital.

9 As he was walking, he
10 saw a young male yelling
11 and threaten the
12 receptionist at the
13 reception desk. At this
14 time Officer Edgar saw the
15 young male pull out a
16 black handled knife and
17 lunge towards the
18 receptionist.

19 Officer Edgar ran down
20 the stairs and verbally
21 engaged man and told him
22 to drop the knife and to
23 calm down. He then asked
24 the man how he could help

25

1 (All applause and
2 standing ovation.)

3 PRESIDENT POWERS:
4 Okay. We're going to move
5 in to the president's
6 report now. Since our
7 last meeting in June, as
8 you're familiar we removed
9 our former lobbyist from
10 Gold St. John's and we
11 hired on a temporary basis
12 until after the election
13 process, until the end of
14 the year, Chris Duryea.

15 And he's from Statewide
16 Public Affairs. He comes
17 out of the Assembly
18 originally, politically;
19 and he works pretty
20 closely with Keith
21 Jacques. So, he was
22 instrumental in helping us
23 get our bill through the
24 Assembly, the Death Gamble

27

1 him get help. Multiple
2 hospital staff assisted in
3 getting the man to drop
4 the knife and calm down.

5 The individual was
6 evaluated and treated at
7 the hospital. Correction
8 Officer Edgar went above
9 and beyond his tour of
10 duty and was recommended
11 for the Valor Award by
12 Bruce Delaney.

13 And this is his plaque.
14 It says, in recognition of
15 your noble actions and
16 willingness to go above
17 and beyond, you
18 demonstrated the true
19 meaning of heroism. Your
20 dedication and devotion
21 shows you are a true asset
22 to your profession. We
23 honor you on September
24 13th, 2017.

26

1 Bill, for the first time
2 in many years. So, we
3 brought him on until the
4 end of the year until
5 after the elections and
6 then we'll move with this
7 body to bring him forward
8 if the body so chooses.

9 Attended numerous
10 political events in the
11 months of July. As you're
12 familiar, the summer is a
13 big fundraising season;
14 the politicians are
15 continually having their
16 hands out so
17 constantlyly On the 17th I
18 met with Jefferson County
19 DA Christina Mills, to
20 follow up with many of the
21 meetings I have had across
22 the state with District
23 Attorneys regarding our
24 issues in these

28

1 facilities. And at some
2 point I'd like to speak
3 with the chief from
4 Watertown, Cape Vincent
5 and Gouverneur; actually
6 she doesn't cover
7 Gouverneur, does she?

8 So, just Cape Vincent
9 and Watertown later, catch
10 up with me and I want to
11 bring you up to speed on
12 some of that. PERB
13 conference on the 19th for
14 the staff allowable list;
15 we'll be working on that
16 staff allowable list here
17 in the PERB weeks to
18 present as our clear bag
19 IP moves forward.

20 The next hearing for
21 the clear bag IP is in
22 March and that's due to
23 the Administrative Law
24 Judge who is very close to

29

1 crafted a letter along
2 with our counsel to send
3 over to the Governor's
4 Chief Counsel, Legal
5 Counsel, Alfonso David in
6 support of the Death
7 Gamble Bill.

8 28th we started --
9 you're all familiar with
10 the Con-Con, the
11 Constitutional Convention
12 for some of the new
13 stewards that are in here.
14 We'll have Keith and Chris
15 kind of bring you up to
16 speed on that.

17 We also have a small,
18 not really a task force,
19 it's just a group of --
20 it's Mike Dildine, Robert
21 Cronin and Al Mothershed
22 have put together a lot of
23 good information that's on
24 our website regarding

31

1 giving birth and she'll be
2 on maternity leave and
3 another leave after that;
4 so we kind of got caught
5 in that quagmire.

6 Steward elections as
7 we're all familiar took
8 place on the 21st. We
9 welcome all the new chiefs
10 and new stewards aboard.
11 And we continually ask
12 that all the information
13 you get here you take back
14 to your members and your
15 stewards in the
16 facilities, so this
17 information can be
18 disseminated to the
19 membership, the rank and
20 file.

21 July 25th, we held a
22 meeting, a staffing review
23 meeting with the
24 department. 27th I

30

1 Janus versus AFSCME.
2 That's a lawsuit that's
3 soon to be entered into
4 the Supreme Court.

5 Keith and Chris can
6 touch upon that a little
7 bit later for the new
8 stewards who aren't
9 familiar with that.
10 Remind our members of the
11 constitutional convention
12 and the importance of
13 voting and turning that
14 ballot over and checking
15 the box no for the
16 constitutional convention.

17 Again, towards the end
18 of the month there were
19 many political events.
20 Again on the 7th, through
21 PERB they agreed to
22 consolidate the staff
23 allowable list and clear
24 bag issues. Meaning, the

32

1 two IPs have been joined
2 into one, so they can be
3 heard as one. If you have
4 any questions, you can
5 talk with our law firm
6 about that.

7 The -- Auburn's 200th
8 Anniversary it was on
9 August 12th. From what I
10 understand it turned out
11 to be quite an event in
12 the Village of Auburn.
13 That moves us into August
14 yesterday -- or August
15 15th was our Executive
16 Board Meeting. The 22nd
17 was the clear bag PERB
18 hearing.

19 We got some feedback
20 regarding the amended
21 staffing reviews from
22 Altona and South Port.
23 And we received several
24 staffing review reports

33

1 administration at the
2 Riverview Correctional
3 Facility. If you get any
4 wind of that, if you got
5 any questions on that,
6 just reach out to me.

7 It's kind of ridiculous
8 in nature, this guy has
9 come after a few of us and
10 there's some issues at
11 Riverview that are being
12 dealt with regarding this
13 employee. If you have any
14 questions, I'm happy to
15 answer anything for you.

16 August 28th I had a
17 phone consult with Alfonso
18 Davis, Chief Counsel for
19 the Governor in support of
20 our Death Gamble
21 legislation. I believe
22 the conversation went
23 quite well. I very
24 poignantly and adequately

35

1 the department and we're
2 in the process of sending
3 in some of our rebuttals.

4 On the 28th we had an
5 emergency executive board
6 meeting, over some
7 personnel issues on our
8 executive board. Rick
9 Brunelle, former business
10 agent for the northern
11 region is now acting as
12 our vice president until
13 after the elections due to
14 the removal of Chris
15 Hansen.

16 I guess I can
17 probably -- I was named in
18 a lawsuit from a member
19 out of a facility, a
20 former facility I used to
21 work at. It's a summons
22 for civil action. He's
23 come after many members of
24 NYSOPBA and the

34

1 put together our talking
2 points regarding the
3 legislation and the
4 importance of the
5 legislation and retention
6 of our senior staff to
7 help our new guys along;
8 and more importantly to
9 preserve the benefits of
10 our beneficiaries God
11 forbid if something were
12 to happen to us while on
13 duty after twenty-five
14 years on the job.

15 September 5th, I don't
16 know, some of you may not
17 remember I blurted
18 something out here one day
19 and spoke of how busy your
20 Executive Board can be at
21 times. And I offered up
22 to have anybody tag along
23 a board member one day.

24 And on September 5th,

36

1 Robert Stevens out of
2 Mohawk took me up on that
3 and showed up in the
4 office on September 5th
5 and I believe he got quite
6 an education.

7 With that being said,
8 it was -- I think it was
9 good for him to see. He
10 saw the transparency that
11 operates out of 102
12 Hackett Boulevard on your
13 behalf. And he recognizes
14 a lot of the hard work
15 that goes in, that many of
16 us do including yourself.
17 The thankless jobs that
18 are sometimes thrust upon
19 you in the facilities.

20 On the 6th we attended
21 the statewide golf
22 tournament. We are happy
23 to report that we raised
24 over twelve thousand

37

1 document it. Document it.
2 Let your VP or your
3 business agent, your VPs
4 already know if they're
5 present in the room or the
6 business agent is present
7 in the room and you
8 recognize this activity,
9 get it to me as it
10 happens.

11 And we'll place a call
12 into the OSI director and
13 see what kind of activity
14 is going on there and
15 we'll look to address it
16 expeditiously so we can
17 stay on top of it. You
18 have rights when you're in
19 a Q and A and you have
20 rights when you're in an
21 arbitration. Exercise
22 them, know them and make
23 sure that none of that
24 crosses the line when

39

1 dollars for CPOF, and
2 their ventures nationwide
3 in protecting the brothers
4 and sisters in
5 corrections.

6 And on Monday, I held a
7 meeting with the OSI and
8 the Department. We had
9 some concerns regarding
10 many of the questions and
11 answers and arbitrations
12 that get under way and
13 some of the high-handed
14 activity with OSI and
15 these investigations and
16 questions and answers.

17 And we had quite a bit
18 of back and forth. And
19 we were able to come to
20 terms when you as a
21 member, one of your
22 members is involved in a Q
23 and A and you see this
24 high-handed activity,

38

1 you're dealing with the
2 department.

3 Also held a meeting
4 with GOER regarding paid
5 family leave. I'll bring
6 Bill Sheehan up here
7 shortly, he will explain
8 the Paid Family Leave Act
9 that was recently passed
10 in the legislation. And
11 it more or less just an
12 off branch Of Workers'
13 Compensation that allows
14 family members -- or
15 allows a member to
16 exercise a day, full day,
17 to care for a child,
18 maternity or paternity,
19 adoption, foster children,
20 elderly, family members.

21 It comes with a price,
22 comes with a tax
23 obviously. So we'll
24 address that and let you

40

1 guys know. We're going to
2 be looking to possibly
3 move on that at some point
4 and we don't do that
5 without this bodies
6 direction.

7 So you need to listen
8 to the information that
9 comes to you from Mr.
10 Sheehan, so you can take
11 it back to your members
12 and educate them and see
13 whether or not NYSCOPBA
14 wants to participate.

15 Received a handful of
16 memos recently. One of
17 them, the prevention of
18 suicide by staff, the
19 Glock transition, many of
20 those were sent to the
21 Board. Hopefully those
22 made it to your mailboxes,
23 if you don't have it, I
24 believe we may have even

41

1 through information that I
2 receive from many members
3 in the field, that there's
4 not enough training with
5 the new synthetics that
6 are coming.

7 You got Suboxone,
8 they're soaking Suboxone
9 in paper now, a sheet of
10 paper. Soak it in a
11 liquid form, they're
12 peeling it off or they're
13 dropping it on their
14 tongue or they're rolling
15 it up with K2 and they're
16 smoking it. And it's
17 really creating a lot of
18 havoc.

19 One of the biggest
20 problems facilities that
21 we've noticed as of late,
22 and it's not just one time
23 around but within the last
24 year, had a very --

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1 blasted them out, I'm not
2 sure.

3 Many assaults over the
4 course of the last couple
5 of months. Many of our
6 facilities have been
7 active. Auburn, Attica,
8 Clinton, Elmira, just to
9 name a few. Our mediums,
10 our hot beds, our bigger
11 mediums, we got a lot of
12 activity.

13 One of the side
14 conversations I had won
15 Monday with the Department
16 Commissioner minus OSI in
17 the room, was to have a
18 discussion regarding a lot
19 of the synthetic drugs in
20 our facilities. And the
21 handling of the them and
22 the testing of them.

23 And we adequately -- I
24 very much feel personally

42

1 multiple, multiple
2 incidents of overdoses
3 with this K2, Suboxone,
4 and whatever cannabinoid
5 they're throwing into this
6 shit.

7 But at the end of the
8 day, it's creating a
9 really hostile work
10 environment. Collins was
11 upside down one of the
12 weekends towards the end
13 of August. Literally over
14 a five day period they had
15 close to forty or fifty
16 overdoses of this stuff.
17 So, they were operating on
18 their heads through that
19 weekend.

20 And what troubled me
21 the most, was when I
22 delivered the information
23 to the administration
24 which is scattered, and

44

1 for you that aren't
2 familiar, September 6th
3 Deputy Commissioner
4 Bellnier retired, so
5 there's an acting. The
6 acting right now is Jim
7 O'Gorman and I reached out
8 to him and deputy
9 Martuscello over the
10 problem in Collins and
11 they were unaware of it.

12 Apparently the facility
13 administration,
14 recognizing that they were
15 activating some of the
16 local CIUs, and some of
17 the local investigative
18 units coming into the
19 facility to investigate
20 the issue, it was obvious
21 it was over their head.

22 And we pushed forward
23 on behalf of Collins,
24 pushed forward on behalf

45

1 operates.

2 And that was some of
3 the concerns we brought
4 forward. I called for
5 additional training, I
6 called for better
7 equipment to be able to
8 test this stuff. I asked
9 for better outside charges
10 to be rendered for anybody
11 who is in possession of
12 this contracontrabandAnd
13 we'll continue to
14 follow-up on that,
15 continually ask for
16 assistance in that. So
17 keep in mind that stuff.
18 And one of the things that
19 concerns us the most is
20 the handling of this
21 stuff. It appears to be a
22 kitchen spice at times,
23 comes in many different
24 forms. But you have to be

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1 of Joe Miano. I called
2 for a lock-down which they
3 wouldn't give me, and then
4 ultimately I asked for the
5 local certificate teams to
6 be activated, which they
7 didn't do.

8 From what I understand
9 they did do a concentrated
10 search. My conversation
11 with the Deputy
12 Commissioner was very
13 clear and it shows that
14 the training and the new
15 type of K2 that's coming
16 into the system, and the
17 soaking of Suboxone. And
18 let's face it, we all
19 recognize Fentanyl to be a
20 problem on street and it's
21 in some of the facilities
22 nationwide, not so much in
23 New York but we're all
24 familiar with how it

46

1 careful when you're
2 handling it.

3 If there is any
4 Fentanyl, God forbid or
5 any other liquid substance
6 that's part of this
7 contraband, you can
8 actually ingest it in your
9 system just by handling
10 it. We'll be asking for
11 better equipment, the
12 rubber gloves more than
13 anything, nitrile gloves
14 they call them. It's not
15 so much the synthetic
16 gloves that we see and
17 deal with traditionally.

18 So that was some of the
19 concerns we had regarding
20 the department and the
21 usual 4-A of violence in
22 the facilities and
23 shortage of staff;
24 everything you have heard

48

1 in here in the past.
 2 That pretty much sums
 3 it up for me. Does
 4 anybody got anything for
 5 me? Thank you. I'm going
 6 to bring up Keith and
 7 Chris Duryea now, and have
 8 them explain any of the
 9 legislative landscape
 10 right now and any
 11 questions you might have
 12 for them. Shortly after
 13 that, we'll bring up Bill
 14 Sheehan and we'll talk
 15 about paid family leave.
 16 KEITH JACQUES: Morning
 17 everybody. A lot of new
 18 faces in the room, so I'll
 19 cover this stuff pretty
 20 quickly, but rest assured
 21 when you guys start your
 22 training later this Fall I
 23 believe, Chris and I will
 24 be attending the training

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1 delivered, we'll let the
 2 Board know, the board will
 3 let the chiefs know; and
 4 hopefully we can get a
 5 signature on that bill.
 6 Is everyone familiar
 7 with that bill, by the
 8 way? The other.
 9
 10 (Inaudible question from
 11 the floor)
 12
 13 KEITH JACQUES: It is
 14 not on the Governor's
 15 desk. What happens is,
 16 once bills pass both
 17 houses from the
 18 legislature, they're
 19 delivered to the second
 20 floor in batches. And the
 21 Governor has ten days,
 22 excluding Sundays in which
 23 to act on the bill.
 24 So once that bill is

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1 and we'll try to bring
 2 everyone up to speed on
 3 what it is we do, what it
 4 is your role in terms of
 5 the legislative process.
 6 In term of our bills we
 7 have pending before the
 8 Governor; we have two of
 9 them. As Mike talked
 10 about, Death Gamble was
 11 NYSCOPBA's priority bill
 12 this year, that bill
 13 passed both houses. It
 14 has not yet been delivered
 15 to the Governor.
 16 Although we have had
 17 several communications
 18 with the second floor,
 19 with Alfonso David, with
 20 some of the Governor's key
 21 people, explaining the
 22 importance of the bill.
 23 That bill has not yet been
 24 delivered. Once it is

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1 delivered, that ten day
 2 clock will begin. And it
 3 will ramp up our lobbying
 4 activity. Although we've
 5 been aggressively
 6 advocating for it, since
 7 early summer. But it is
 8 not yet on the Governor's
 9 desk.
 10 The other bill which
 11 was a bill, also a
 12 NYSCOPBA specific bill, we
 13 drafted it and crafted it,
 14 several board members had
 15 a significant role in it,
 16 it's a bill that deals
 17 with combat veterans. It
 18 would allow anyone who has
 19 combat experience,
 20 additional leave under
 21 military law to the extent
 22 they need additional days
 23 on top of the days they're
 24 currently allotted under

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1 the military law.
 2 That bill was crafted
 3 by NYSCOPBA, it was very
 4 well received. It applies
 5 to everyone in the
 6 bargaining unit that has
 7 combat experience. That
 8 bill is also awaiting
 9 delivery to the Governor.
 10 It's not on the Governor's
 11 desk. We will obviously
 12 let the board and the
 13 Executive Assembly know
 14 when that happens.
 15 Couple other quick
 16 legislative issues.
 17 Adolescent offender
 18 facilities, as everyone
 19 knows there's going to be
 20 some adolescent offender
 21 facilities beginning in
 22 October of 2018. When
 23 these facilities -- the
 24 legislation that created

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1 these facilities was
 2 signed into law, one of
 3 the issues that found its
 4 way in the budget was
 5 random drug testing for
 6 every employee that works
 7 at one of these adolescent
 8 offender facilities.
 9 Now, these are going to
 10 be our members in these
 11 facilities so obviously
 12 we're looking at a
 13 situation where we have
 14 the vast majority of
 15 NYSCOPBA's members that do
 16 not have random drug
 17 testing; these employees
 18 would.
 19 We've already started
 20 discussions with the
 21 Senate and Assembly, and
 22 the second floor, frankly
 23 about including language
 24 within the 2018, 2019

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1 executive budget to change
 2 that random drug testing
 3 language to make it
 4 uniform within DOCCS, so
 5 that those employees would
 6 also have the same
 7 reasonable suspicion
 8 standard that everyone in
 9 this room has.
 10 We feel pretty
 11 confident about that, that
 12 we'll be able to get it
 13 that language included
 14 within the executive
 15 budget. Another issue
 16 we're trying to get
 17 included in the executive
 18 budget in April when the
 19 last budget was in
 20 enacted, there was some
 21 language that dealt with
 22 PTSD coverage, Workers'
 23 Compensation coverage for
 24 certain first responders;

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1 police, firefighters, EMS.
 2 Corrections and our
 3 members were not included.
 4 We've already started
 5 discussions particularly
 6 with the Senate IDC
 7 because they were the
 8 catalyst of that
 9 legislation to have our
 10 members included in that
 11 coverage and we will work
 12 to have that language
 13 included within the
 14 executive budget as well.
 15 And frankly we'll start
 16 discussions on the
 17 executive budget within
 18 the next several months.
 19 Any questions
 20 legislatively, before I
 21 introduce Chris? Any
 22 question about any of the
 23 bills?
 24 I'm going to introduce

56

1 Chris Duryea. Most people
2 here probably don't know
3 Chris. I have known
4 Chris, gosh, probably
5 since 1996, 1997. He's
6 got a great lobbying
7 practice. He's a little
8 bit different than most
9 lobbyists out there in
10 that the guy is a grinder.

11 He is a work horse, he
12 built his firm really on
13 his own from the bottom
14 up. And he is the guy
15 that's on the hill every
16 day, walking the halls,
17 knocking on doors. He's a
18 hard worker. And I think
19 he will be a valuable
20 addition to the team and
21 he is going to do great
22 things for us. So, this
23 is Chris.

24 CHRIS Duryea: Thanks

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1 for the kind words, Keith.
2 I know you got more
3 important things to do
4 this afternoon, so I will
5 keep it short. But I grew
6 up in Owasko, New York,
7 which is about a stones
8 throw from Auburn Prison.
9 So, I sort of have an
10 appreciation for what you
11 folks do, what you mean
12 for the economy, what you
13 mean for jobs, what you
14 mean for safety in our
15 community.

16 I actually had the
17 pleasure after driving by
18 it thousands of times to
19 go out and take a tour out
20 at Auburn. Nate gave me a
21 nice tour with a group of
22 politicians, so did Joe
23 Miano and Al from out
24 west, so it was certainly

58

1 enlightening.

2 My understanding a lot
3 of new folks in the room
4 here today. I'm new too.
5 I'm learning. I
6 appreciate any of your
7 feedback. You know, Keith
8 came to me and Mike and
9 were very poignant I think
10 back in May this year and
11 said, we need some health
12 in the Assembly with the
13 Death Gamble Bill, and can
14 you help.

15 And I gave him an
16 assessment. And thanks to
17 Mike's leadership and
18 Keith's yeomen's work
19 getting that bill in
20 place, that all it really
21 needed was a little nudge
22 at the end. I was
23 certainly thankful to help
24 out, it's a good cause

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1 certainly.

2 I appreciate your
3 feedback. I'm really
4 looking forward to being a
5 part of the team. And I
6 appreciate a lot of you
7 folks today.

8 PRESIDENT POWERS:
9 Thanks, Chris. Couple
10 things I want to expand on
11 as well --

12 KEITH JACQUES: So,
13 look it, every twenty
14 years on the election
15 ballot, the general ballot
16 is a question to the
17 voters, shall there be a
18 constitutional convention.

19 Everyone knows that
20 pension benefits are
21 protected and they're
22 protected
23 constitutionally. So the
24 state can't do anything to

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1 diminish your pension
2 benefits. Even if the
3 legislature wanted to
4 enact law that somehow
5 came after your pension;
6 the legislature can't do
7 it.

8 That's why anytime they
9 want to try to change the
10 pension system, they have
11 to create new tiers,
12 because they can't do
13 anything to people that
14 already have their
15 benefits in place, the
16 people that are in
17 existing tiers.

18 They could -- changes
19 could occur if changes to
20 the constitution were
21 agreed to. So if there a
22 constitutional convention,
23 it is possible that one of
24 the issues that could be

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1 put that off the table is
2 to make sure that there is
3 no constitutional
4 convention.

5 So, it's important that
6 you go to the polling
7 places in November, flip
8 over the ballot, it will
9 be on the back of the
10 ballot, check no; make
11 sure that you have all
12 your family and friends
13 check no as well. Nothing
14 good will come out of the
15 constitutional convention.
16 Any questions on that?

17
18 (No response).

19
20 KEITH JACQUES: Thanks.

21 PRESIDENT POWERS:

22 Couple of quick things
23 here I want to expand on.
24 On the 31st of August I

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1 put on the table are
2 public pensions. And what
3 would happen with that, we
4 don't know.

5 That's why it's very
6 important that everyone in
7 room, your family, your
8 neighbors, you tell them,
9 you know, election day,
10 turn over the ballot and
11 vote no. Because we open
12 up a Pandora's Box if
13 there is a constitutional
14 convention. And it's
15 certainly not something,
16 you know, that we want.

17 Everyone knows there
18 are times when public
19 employees are eviscerated
20 in the press you here
21 about their huge pensions
22 we don't even need any of
23 that being put on the
24 table, and the best way to

62

1 was informed by the
2 Department that the
3 inmate population dropped
4 down below fifty-one
5 thousand. And obviously
6 with a decrease in inmate
7 population comes, you
8 know -- you never know
9 what's going to come after
10 it.

11 And they quickly
12 pivoted and consolidated
13 three more housing units.
14 Another one in Wyoming
15 correctional, another one
16 in Bare Hill and another
17 one in Franklin.
18 Apparently there's going
19 to be another one at a
20 facility to be named
21 later. We still don't
22 have that information as
23 of yet, but that's how the
24 Department delivered that

64

1 news to me.

2 Three other facilities,
3 Keith made mention of the
4 youthful -- raise the age
5 initiatives that we're all
6 familiar with, with the
7 construction and the
8 transition that went
9 through Hudson. But they
10 made to two other
11 facilities. I shared this
12 with the board yesterday;
13 I found out about it late
14 Monday evening. And
15 these -- the other
16 facilities affected by
17 that are Adirondack will
18 turn into a raise the age
19 facility and we're
20 going -- they're going to
21 be having the Groveland
22 Annex reopened to
23 facilitate another
24 regional -- you can see

65

1 from the area the
2 facilities that they're
3 looking to do it
4 regionally for families
5 that may have youthful
6 offenders in these
7 systems.

8 So that's the
9 information I wanted to
10 get along to you. We
11 won't be having Dan
12 Valente in the room today
13 or tomorrow. He will be
14 down in New York City
15 attending a Janus versus
16 AFSCME and a Con-Con
17 convention on our behalf.
18 We were going to have Al
19 mothershed possibly go as
20 well, but I don't know if
21 Al's schedule has opened
22 up for it.

23 These are some of the
24 things we're moving along

66

1 with to address and stay
2 on top of these to very
3 issues.

4 This is for the
5 northern region. We're
6 going to need approval
7 from the members of the
8 northern region for Rickie
9 Brunelle to fill the
10 northern region vice
11 president position until
12 after the election.

13 Any objections with
14 the northern region? All
15 in favor signify by saying
16 aye. Northern region
17 only.

18 Anybody opposed in the
19 northern region?

21 (No response.)

23 PRESIDENT POWERS:
24 Thank you. So I'll turn

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1 it over to Bill Sheehan
2 here. He will talk about
3 the paid family leave. We
4 met with GOER on Monday
5 the 11th at one o'clock
6 and make sure you take
7 this information back to
8 your local meetings, share
9 this with your members,
10 because this is important.
11 Bill?

12 BILL SHEEHAN: Thanks,
13 Mike. So, the legislature
14 previously adopted this
15 Paid Family Leave Act.
16 And effective January 1 of
17 2018 it applies to all
18 private employers.

19 And the basic
20 difference between FMLA
21 which you already have,
22 and this -- this is a
23 federal program and the
24 Paid Family Leave Act,

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1 which is a state program,
2 is that -- as the name
3 implies, the state program
4 paid family leave actually
5 is a paid benefit.

6 Whereas, the FMLA, you
7 take it, you can use your
8 accruals, but the benefit
9 itself is an unpaid
10 benefit. You get to leave
11 but you don't get paid for
12 the leave. Under the
13 state program, you get
14 paid at least partially;
15 it's not a hundred percent
16 pay.

17 And with public
18 employers, including the
19 state, the legislature
20 basically left it to the
21 public employers to choose
22 to opt in. And it also
23 said employee
24 organizations, unions,

69

1 Third one is to assist
2 loved ones when a family
3 member is deployed abroad
4 on active military duty.

5 You will notice that
6 Paid Family Leave does not
7 cover situations where you
8 yourself are injured. You
9 can care for a family
10 member under this program,
11 but you couldn't take it
12 off on your own behalf;
13 either on-duty or off-duty
14 illness, it doesn't cover
15 that.

16 The benefits are for
17 2018, it's eight weeks of
18 leave, and you get you
19 would get fifty percent of
20 your average weekly wage
21 up to fifty percent of the
22 maximum average weekly
23 wage of the state. Which
24 right now, the average

71

1 could themselves elect to
2 opt in.

3 So, we wrote to the
4 state and said we want to
5 discuss with you the
6 possibility of opting in.
7 We didn't say we would, we
8 didn't say we agreed to,
9 we didn't say yes or no.
10 We wanted to develop some
11 further information about
12 what it would be.

13 But in general terms
14 without taking a lot of
15 time there's three basic
16 circumstances under which
17 you can take paid family
18 leave.

19 One is to bond with a
20 newly born child or
21 adopted child, a foster
22 child. Second is to care
23 for a family member with a
24 serious health condition.

70

1 weekly wage is thirteen
2 hundred six dollars. So
3 the weekly benefit would
4 be six hundred and fifty
5 dollars roughly under
6 2018.

7 And you can take up to
8 eight weeks. For 2019,
9 it's going to be ten weeks
10 and it's fifty-five
11 percent of the state's
12 average weekly wage. 2020
13 is sixty percent and still
14 ten weeks. And 2021, when
15 it's fully implemented you
16 can take up to twelve
17 weeks of leave and the
18 benefit, the payment is
19 sixty-seven percent of
20 your average weekly wage
21 up to sixty-seven percent
22 of the state's average
23 weekly wage.

24 So, that would be --

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1 you know, and of course
2 the average weekly wage
3 will presumably increase
4 as the years go on.

5 Now, how it's paid for.
6 It's paid for through a
7 payroll tax based upon
8 again your average weekly
9 wage up to a maximum. And
10 the payroll tax for 2018
11 would amount to about a
12 dollar sixty per week or
13 based on your biweekly
14 salaries, it would be
15 about three dollars and
16 twenty cents that's how
17 it's paid for.

18 And you have to
19 document when you take the
20 leave, but if you're
21 eligible, which basically
22 anyone who has been
23 employed for twenty weeks
24 would be eligible for it.

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1 So, it's going to cover
2 virtually everybody in
3 this room, if not
4 everybody.

5 So, it has to be
6 documented. But if we
7 agree to this then, you
8 know, you would be
9 covered, you would have
10 those rights. So, for
11 example, if you wanted to
12 let's say you have a
13 newborn and you wanted to
14 take time off with the
15 child, rather than using
16 your accruals which you
17 could elect to do, you
18 could use this program,
19 not use your accruals; and
20 take the weekly benefit.
21 Which again, is not a
22 hundred percent, but it's
23 a substantial amount of
24 money.

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1 Now, the other thing
2 you can do is you could
3 use this program and then
4 use accruals to bring it
5 up to your salary level.
6 In other words, you can
7 gross up by using this
8 program as a start and
9 then boosting your
10 accruals to bring you up
11 to full pay. And you can
12 also -- there's lots of
13 other circumstances where
14 you can apply the leave.

15 But I want to emphasize
16 that it's paid for through
17 payroll. So, it's not
18 like it's free money. The
19 unit as a whole would be
20 contributing to it. And
21 the state is probably
22 going to do an RFP to get
23 an insurance company to
24 underwrite it.

75

1 That's one of the --
2 probably the most likely
3 options to do this. Does
4 anybody -- and we'll send
5 out some information which
6 gives you a lot more
7 detail on exactly how it
8 works. But, yes?

9 JEREMY OSTERHOUDT:
10 Now, is this completely
11 replacing FMLA?

12 BILL SHEEHAN: If you
13 elected to use this
14 program and you are also
15 eligible for FMLA, it
16 would count against FMLA
17 time, but it doesn't
18 completely replace it, no.
19 Because there are
20 circumstances where
21 FMLA -- well, this would
22 not be covered under FMLA.
23 So, no, it doesn't
24 completely replace it.

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1 VP SOUTH FISHER:
2 Excuse me for one second,
3 for all the new members,
4 for purposes of the
5 stenographer, when you
6 come up to the mic, please
7 say your name and your
8 facility.

9 UNIDENTIFIED SPEAKER:
10 You didn't identify
11 yourself.

12 VP SOUTH FISHER: Who
13 doesn't know me? Clarence
14 Fisher, southern region.

15 JEREMY OSTERHOUDT: My
16 name is Jeremy Osterhoudt,
17 free Eastern Correctional.

18 ANDY RICE: Rice,
19 Elmira. Bill, if you were
20 to take the eight weeks,
21 has it been discussed
22 would we have to make the
23 eight weeks up, being that
24 we're out of work for

77

1 we know, in every jail,
2 how are they going to go
3 through the approval
4 process for all this?

5 BILL SHEEHAN: You have
6 to have the documentation,
7 but I don't think it would
8 be any different than any
9 other time.

10 MR. STURGEON: So you
11 have to go through
12 staffing then?

13 BILL SHEEHAN: Yeah.

14 MR. STURGEON: Thank
15 you.

16 MARK DEBURGOMASTER:
17 Mark Deburgomaster, South
18 Port. Just a quick
19 question, are they going
20 to follow the same
21 criteria for defining
22 family members that's in
23 our contract already?

24 BILL SHEEHAN: No. No.

79

1 eight weeks.

2 BILL SHEEHAN: No. No.

3 ANDY RICE: It's still
4 considered.

5 BILL SHEEHAN: Time on
6 the job, yeah. It's not a
7 gap in service or anything
8 like that, no.

9 MR. STURGEON:
10 Sturgeon, Adirondack. Who
11 is going to -- as we know
12 FMLA or, you know, time
13 off, the superintendent,
14 approves this. Who is
15 going to approve this?

16 BILL SHEEHAN: Well --

17 MR. STURGEON: You
18 know, you go through a
19 process if you get light
20 duty or anything like
21 that.

22 BILL SHEEHAN: Yep.

23 MR. STURGEON: It's
24 going to cause overtime as

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1 MARK DEBURGOMASTER: So
2 it's a separate criteria
3 under that?

4 BILL SHEEHAN: Separate
5 criteria established by
6 the state law for a family
7 member. If you give me a
8 minute, if you want me to
9 read it to you, Mark.
10 I'll see if I can find
11 here it.

12 So, if the employee's
13 family member has a
14 serious health condition
15 they're eligible to care
16 for them under the
17 program. Family members
18 include, spouses, domestic
19 partners, children,
20 parents, parents-in-law,
21 and grandchildren.

22 KEVIN DONNELLY: Kevin
23 Donnelly, Coxsackie. Is
24 this an individual option

80

1 or is this a group option?

2 BILL SHEEHAN: You
3 mean?

4 KEVIN DONNELLY: Like
5 if I choose, I don't want
6 to get into this program,
7 it's not individual, it
8 would be a union wide?

9 BILL SHEEHAN: I way I
10 read it is, it's the
11 bargaining units option.
12 So, I don't believe -- we
13 haven't discussed this
14 with the state but I don't
15 believe that individuals
16 within NYSCOPBA have the
17 option to go in and out.
18 If the union goes in;
19 everyone goes in. If the
20 union doesn't, nobody
21 does.

22 KEVIN DONNELLY:
23 Thank you. Okay.

24 SHAWN KEENAN: Keenan

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1 everybody else who is
2 covered in this program.

3 SHAWN KEENAN: And if
4 we were to go in, is this
5 pretax pull or after?

6 BILL SHEEHAN: It would
7 I assume --

8 SHAWN KEENAN: I don't
9 want to assume. I want
10 the answer.

11 BILL SHEEHAN: I'll
12 check it and give you the
13 answer.

14 BILL SHEEHAN: Mike?

15 VP MID-HUDSON MAZZELLA:
16 Mike Mazzella, Mid-Hudson
17 region. So, the half pay
18 or up to sixty-seven
19 percent, whatever --
20 wherefore you are for the
21 years, is that paid
22 through the department or
23 would it be paid from a
24 separate check?

83

1 out of Wende. So, is this
2 going to be a contractual
3 item or how do we track
4 this? Because the other
5 items that we deal with,
6 the FMLA is a federal
7 handed down --

8 BILL SHEEHAN: Other --

9 SHAWN KEENAN: What
10 would they fall under?

11 BILL SHEEHAN: Well,
12 it's got its own statutory
13 regulations. It's
14 basically state law. So
15 if we did it, it would be
16 covered under that law and
17 those regulations. I
18 mean, there could be I
19 suppose there could be
20 sort of contractual
21 understandings about, you
22 know, certain aspects of
23 it, but basically we'd be
24 subject to the same law as

82

1 BILL SHEEHAN: That's a
2 good question. We asked
3 them that when we met with
4 them the other day. And
5 if they RFP this and have
6 a insurance carrier to
7 underwrite the benefit,
8 then it would be through
9 the insurance carrier that
10 you would get the check.

11 VP MID-HUDSON MAZZELLA:
12 So if it's through the
13 insurance carrier, then
14 your paycheck would be
15 zeroed out, almost as if
16 you're taking a leave of
17 absence. My question
18 would be, what about
19 health insurance; does
20 that continue?

21 BILL SHEEHAN: No, the
22 health insurance, you
23 would continue on health
24 insurance. There's no

84

1 issues with that.
 2 VP MID-HUDSON MAZZELLA:
 3 Okay. So we wouldn't have
 4 to make our own payments
 5 towards health insurance?
 6 BILL SHEEHAN: No. No.
 7 VP MID-HUDSON MAZZELLA:
 8 One last question from me.
 9 I mean, our facilities
 10 now, the personnel
 11 departments can't even up
 12 with paying holiday pay in
 13 a timely fashion, can't
 14 keep up with crediting
 15 vacation time. You know,
 16 can't keep up with even
 17 taking money, they can't
 18 keep up with preshift
 19 briefing from last year.
 20 How in the hell are they
 21 going to keep up with
 22 this?
 23 BILL SHEEHAN: And
 24 that's a good question and

85

1 Feeney, Attica. Would we
 2 be able to double dip?
 3 Because if you're paying a
 4 separate tax like a
 5 benefit. Would you be
 6 able to collect a full
 7 paycheck and a benefit at
 8 the same time?
 9 BILL SHEEHAN: You
 10 mean, would you be on this
 11 and then --
 12 MR. FEENEY: And still
 13 collect your regular
 14 paycheck using your
 15 accruals?
 16 BILL SHEEHAN: No. No.
 17 You can use your accruals
 18 to bring you up to a
 19 hundred percent of the
 20 benefit, but it's not
 21 contemplated that you can
 22 go beyond a hundred
 23 percent of what your
 24 salary is, no.

87

1 we talked about that, too.
 2 MIKE CARLSON: Mike
 3 Carlson, Forest Rangers.
 4 The question I have is, if
 5 I wanted to stay home and
 6 take care of my father
 7 because he has cancer, do
 8 I have to show a doctor's
 9 note to somebody saying
 10 yeah, he has cancer, I'm
 11 going to be out ten weeks?
 12 BILL SHEEHAN: Yeah,
 13 there's documentation
 14 requirements. Yes.
 15 MIKE CARLSON: If I
 16 have a newborn, all I have
 17 to do is prove I have a
 18 newborn and I want to stay
 19 home with the newborn, or
 20 a foster child?
 21 BILL SHEEHAN: Yep.
 22 Yep.
 23 MIKE CARLSON: Okay.
 24 BRIAN FEENEY: Brian

86

1 And we'll send out a
 2 detailed explanation of
 3 this law and some of the
 4 regulations and the basic
 5 requirements. So, you
 6 know, you can all have a
 7 reference to address with
 8 your members.
 9 MARIA PARMLY: Maria
 10 Parmlly, Mohawk Valley
 11 Psych Center. I don't
 12 know if you can answer
 13 this question, but you
 14 said we would have to --
 15 if we decided as a group
 16 as a whole that we would
 17 have to start paying out
 18 of our paycheck.
 19 BILL SHEEHAN: Yes.
 20 MARIA PARMLY: So, this
 21 is the state mandate for
 22 nonunion companies,
 23 correct?
 24 BILL SHEEHAN: Yes.

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1 MARIA PARMLY: So, who
2 is paying for them?
3 BILL SHEEHAN: Same --
4 MARIA PARMLY: Are the
5 employees getting it taken
6 out of their paycheck as
7 well, like kinda against
8 their will?
9 BILL SHEEHAN: You can
10 say that, but yes. It's
11 funded by employee
12 contributions. It's sort
13 of like disability, you
14 know, it's in fact it's
15 written in the same law as
16 disability under the
17 Workers' Comp Law; now
18 it's disability and Paid
19 Family leave.
20 So, it's the same
21 concept. It comes out of
22 everyone's paycheck and
23 that produces a fund that
24 will pay for the benefit.

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1 MARIA PARMLY:
2 Thank you.
3 BILL SHEEHAN: Just one
4 note here. The law does
5 allow the employer to make
6 the payments and basically
7 underwrite the cost on
8 behalf of the employees,
9 any individual company can
10 do that. The state has
11 made clear it's not going
12 to do that. So, it would
13 be funded through the
14 employees. Thank you.
15 PRESIDENT POWERS:
16 Tammy, Executive Vice
17 President.
18 EXECUTIVE VP SAWCHUK:
19 Once again, good morning
20 everyone.
21
22 (All respond good
23 morning).
24

90

1 EXECUTIVE VP SAWCHUK:
2 Mike has already done a
3 great job going down the
4 laundry list of issues
5 we've addressed since we
6 last met. So, I'll
7 continue on.
8 We did some facility
9 tours. Altona, Bare Hill,
10 and Hale Creek. Thank you
11 very much. Letters went
12 out to Commissioner
13 Sullivan OMH to -- for
14 Mike and I to gain access
15 to the forensic psych
16 centers. Also a letter
17 went out to Commissioner
18 Claudio, addressing an
19 issue with radios versus
20 cell phones for ISOs.
21 Also, we had a broken
22 metal detector for several
23 weeks now in the Brooklyn
24 Parole Office. That's

91

1 been resolved as of
2 yesterday, a new metal
3 detector went in. Mike
4 mentioned the PERB hearing
5 we attended on the 22nd.
6 We also had an issue
7 with someone who was out
8 on military leave. When
9 that person returned, they
10 returned to no vacation
11 time, no sick accruals and
12 no health insurance.
13 Unacceptable. As we just
14 mentioned, we have enough
15 issues with our time
16 keeping and staffing
17 offices, to keep up with
18 that alone, military time
19 off; and we're going to be
20 adding to that.
21 That issue was resolved
22 by Sharon Smith and I'd
23 just like to thank Sharon
24 for a job well done with

92

1 this officer and vet who
2 returned to nothing. So
3 thank you Sharon.

4
5 (All applause.)

6
7 EXECUTIVE VP SAWCHUK:

8 And once again, if we do
9 have a problem with one of
10 our vets coming back, make
11 it known to one of us
12 immediately so we can get
13 right on it and get those
14 issues resolved.

15 QWL issues, Hudson,
16 Downstate, Mohawk. Mohawk
17 has been resolved. Hudson
18 and Downstate, we will be
19 having a meeting hopefully
20 the tentative date is the
21 20th of this month to meet
22 with Abby Grier and John
23 Shippy regarding those
24 issues and we'll try to

93

1 now up to six weeks for
2 IBM to get one of those
3 codes. Mike is going to
4 be talking to someone over
5 in DOCCS.

6 So, what do we do in
7 the interim? I'm a new
8 sergeant, I come in, I'm
9 assigned a terminal, I
10 don't have a code, what do
11 I do? So, we will be
12 talking about Dan Marcello
13 regarding that issue.

14 Also we had a shortages
15 of ISOs, we're short seven
16 in the parole offices.
17 We're operating with one
18 ISO or no ISOs in some
19 offices. They have put an
20 academy together with
21 seven, so that issue has
22 also been resolved.

23 That's all I have. If
24 you have any questions --

95

1 get them resolved.

2 Also, we had some
3 issues with election
4 ballots for the sectors.
5 That issue has been
6 resolved. I think Joe
7 Bellinger when he is here
8 tomorrow and he goes over
9 his committee report, will
10 address that. We have
11 numerous phone calls
12 regarding sergeants
13 getting access codes when
14 they get to their
15 facilities after making
16 sergeants.

17 For those who don't
18 know, that area of
19 business has been
20 outsourced to IBM, the
21 department no longer takes
22 care of issuing codes for
23 the computers. So,
24 they're looking at right

94

1 UIs, I questioned UI
2 information about a month
3 ago through an e-mail
4 blast. There's several
5 facilities still missing
6 with UI information from
7 '15, '16, '17. If you can
8 meet with me on the break,
9 get me that information,
10 I'll let you know how to
11 get that information;
12 please do so. Morning,
13 Andy.

14 ANDY RICE: Morning,
15 Tammy. Andy Rice, Elmira.
16 I just want to go back to
17 Bill with the state paid
18 family medical leave. I'm
19 assuming that this
20 starts -- well, it says it
21 starts January 1, so we as
22 a body have to make a
23 decision by then, correct?

24 BILL SHEEHAN: Well, it

96

1 starts January 1 for
2 private employers, it
3 doesn't have to start
4 January 1 for state
5 employees.

6 ANDY RICE: Well, do
7 you have a packet or
8 literature that you can
9 give to us chiefs, because
10 obviously this affects
11 every member not just
12 people in this room and we
13 have to vote on behalf of
14 our membership so we can
15 give them the information
16 they need, so we know how
17 to vote when we do come to
18 that point.

19 BILL SHEEHAN: Yeah, if
20 you want I have a fax
21 sheet here, it's just two
22 pages. But I can prepare
23 something more detailed
24 that will answer some of

97

1 fifteen thousand, six
2 dollars ninety-five cents
3 last month. Current
4 balance, one million, one
5 hundred twenty-eight
6 thousand, six hundred
7 forty-nine. Also, as you
8 guys know, we have a bond
9 as well, legal defense
10 fund bond, that's slightly
11 over one million dollars.
12 So the current fund is
13 about two point one
14 million dollars.

15 Rainy Day, once again
16 I've given you all these
17 names and numbers. Keep
18 that confidential, don't
19 share this with anyone.
20 It's for your information
21 only. The numbers you may
22 share.

23 We paid out one hundred
24 seventy-five thousand, two

99

1 the questions.

2 ANDY RICE: That would
3 be great. Thank you.

4 BILL SHEEHAN: If that
5 can wait for a week or so,
6 I'll get it out to you.

7 ANDY RICE: Yep.

8 PRESIDENT POWERS:
9 Dave, treasurer's report.

10 TREASURER VIDDIVO:
11 Good morning, everyone.
12 Did everyone receive the
13 financials that I passed
14 around the room? If you
15 didn't, there's additional
16 copies over next to
17 Stephanie. Go grab
18 yourself a copy, guys in
19 the back, I know I didn't
20 give any. But if you
21 would like one, go back
22 and grab one.

23 Starting off, legal
24 defense fund. We spent

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1 hundred dollars in the
2 Rainy Day Fund last month.
3 Current Norvest balance,
4 ninety-six thousand, nine
5 fifty. Current NYSCOPBA
6 balance, approximately a
7 hundred fifty thousand.
8 Current Rainy Day Fund
9 balance two hundred,
10 forty-six thousand, nine
11 hundred fifty.

12 August treasury
13 numbers. Income, one
14 million, one hundred
15 sixty-six thousand, seven
16 hundred forty dollars,
17 seventeen cents.
18 Expenditures, one million,
19 fifty-four thousand,
20 four hundred, sixty-seven
21 dollars and thirty-five
22 cents. In the black for
23 August; one hundred twelve
24 thousand, two hundred

100

1 seventy-two dollars and
2 eighty-two cents.

3 I put a, also in that
4 packet there's a contract
5 there in front of you.
6 Marinstein and Marinstein,
7 these are a collection
8 slash attorney agency.
9 What we are going to be
10 doing, of course with this
11 body's consent to move
12 this contract, is that we
13 are going to start
14 enforcing some of the
15 Rainy Day Fund repayments
16 that we have not received.

17 I was going to give you
18 some numbers, just some
19 food for thought here as
20 to what we're looking at.

21 Total amount paid in
22 2016, Rainy Day Fund, nine
23 hundred thirteen thousand,
24 four hundred fifty. 2017

1 back. I send out a second
2 letter sixty days, same
3 letter basically with a
4 second notice asking them
5 to pay it. And now we're
6 looking at the ninety day
7 letter which is where
8 Mr. Marinstein comes in,
9 he's a collection
10 attorney.

11 Not that we want to do
12 that, these are our
13 members obviously. But
14 they know full well going
15 in when they receive the
16 fund that if they get back
17 pay, they have to refund
18 the fund. And
19 unfortunately, there's
20 several that owe
21 significant amounts of
22 money that will not
23 respond to me.

24 So, this is the

1 year to date, six hundred
2 forty-five thousand, six
3 hundred dollars. We have
4 currently paid out to one
5 hundred twenty-eight
6 members that have received
7 the fund.

8 There's currently
9 thirty-six members on the
10 fund, which as you know
11 fluctuates from payroll to
12 payroll. The big number
13 though is that on awards
14 where they get back pay,
15 we have outstanding
16 balance of approximately
17 three hundred thousand
18 dollars.

19 Most of the guys that I
20 have sent letters to -- I
21 send a letter out thirty
22 day letter giving them the
23 number what they owe us,
24 asking them to pay it

1 direction we have to go
2 and make sure that this is
3 collected. Hopefully you
4 guys have read through
5 this contract. It's
6 pretty standard for a
7 collection attorney. They
8 basically are going to get
9 twenty-eight percent of
10 all sums collected, which
11 is the number.

12 So we're going to
13 pretty much retain about
14 seventy-two percent of the
15 monies that are collected.
16 A hundred percent would be
17 great, but it's not going
18 to happen. Each lawsuit
19 that they file is five
20 hundred dollars flat fee.
21 And the documents they
22 need to prepare for that
23 are 275 dollars flat fee.
24 So you're looking at

1 about, like I said, about
2 seventy percent back to us
3 for the fund.

4 I'd like to move this
5 contract and get this
6 started before my
7 departure. So, if there
8 is any objection, all
9 those in favor by
10 contracting with
11 Marinstein and Marinstein,
12 please signify by saying
13 aye?

14
15 (Response of "aye" from
16 the floor.)

17
18 TREASURER VIDDIVO:
19 Anyone opposed?

20 SHANE CALL: Shane
21 Call, Cape Vincent. Is
22 there any way of just
23 working with the state
24 when they're awarded their

105

1 So they're going to
2 have that ability. A lot
3 of guys made good. I've
4 got payment plans, I have
5 got a dozen payment plans
6 going on right now. I'm
7 not out there to kill
8 anybody, I go down to
9 fifty dollars a pay
10 period, fifty bucks a
11 month if that's all they
12 can afford to do at this
13 time.

14 I just look at when
15 they're going to retire so
16 we get it back before they
17 leave. But to answer your
18 question, they're going to
19 have that ability to fill
20 that out and have it come
21 right out of their check.
22 As far as the award,
23 directly from the
24 comptroller, we don't have

107

1 back pay our pay comes
2 back to us.

3 TREASURER VIDDIVO:
4 This is what I'm doing,
5 we're revamping the
6 application right now.
7 We're going to have the
8 application, there's going
9 to be some additional
10 wording in the
11 application; legalities,
12 wording, as far as
13 collecting it.

14 There's going to be a
15 form, that is -- a legal
16 form, the name is what?
17 Confession of judgment, so
18 they're going to have a
19 definite number they will
20 owe us. And the third
21 page will be the ability
22 to sign up for automatic
23 withdrawal from their
24 check.

106

1 the ability to do that
2 yet.

3 Hopefully some day we
4 do and we'll continue to
5 work on that with the
6 comptroller. But that's
7 best case, other than that
8 it's for them to fill out
9 the form and have it come
10 directly out of their
11 check, which will be in
12 the packet from now on
13 going forward.

14 So, any other questions
15 on Marinstein and
16 Marinstein?

17 KENNY GOLD: Dave,
18 Kenny Gold from Orleans.
19 Dave, before we go and
20 potentially approve to put
21 a law suit on one of our
22 members, I think maybe we
23 should take this back to
24 our members, especially

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1 specifically the ones that
2 still owe money.

3 Before, if you're going
4 to give away twenty-eight
5 percent to a law firm
6 anyways, and granted it's
7 been ninety days they
8 haven't gotten back to
9 you. We have a three
10 hundred thousand
11 dollars -- most people
12 eyes are open by the fact
13 that there's an
14 outstanding balance of
15 three hundred thousand
16 dollars.

17 Maybe we should take
18 this back to our
19 membership first. Not to
20 approve this, but to try
21 to get these guys to pay
22 before we levy a lawsuit
23 on one of our own members.

24 TREASURER VIDDIVO: Are

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1 seven, eight months,
2 without any responses.
3 Refusing to even take the
4 mail.

5 I have had one of our
6 VPs hand deliver letters
7 to these individuals with
8 no response. Listen, I
9 certainly don't want to
10 sue our membership, but in
11 the same breath, they
12 should put that money back
13 to the next guy. That's
14 what it's about.

15 KENNY GOLD: I don't
16 disagree, I just have a
17 hard time saying yes to do
18 a lawsuit.

19 RECORDING SECRETARY
20 DILDINE: We did -- what
21 Kenny is asking, I think,
22 we already did. All this
23 information goes to the
24 regional VPs to try to get

111

1 you saying you want to
2 make a motion to pull the
3 motion we just approved?

4 KENNY GOLD: Well,
5 actually, we didn't get to
6 the point of saying nays,
7 so I don't think we
8 approved it. But with
9 that being said, I was
10 just saying maybe looking
11 ahead, I'm sure the vice
12 presidents as well as the
13 chiefs know who owe money,
14 and don't owe money.
15 Maybe we can put a little
16 pressure on them before we
17 try to levy a lawsuit.

18 TREASURER VIDDIVO:
19 Just to give you a little
20 background, Ken, when I
21 say I do these ninety day
22 letters, I have been
23 dealing with about five
24 individuals for about

110

1 them, and they do, they go
2 to the member and they try
3 to make the collections.
4 I don't know if that's
5 what you're asking, Kenny.
6 But that's already been
7 done, this has been going
8 on for seven months.

9 Dave reached out to
10 them, the stewards reached
11 out to them. They just
12 won't pay, correct?

13 TREASURER VIDDIVO:
14 Correct.

15 JERRY OSTERHOUDT:
16 Jerry Osterhoudt, Eastern
17 Correctional. Now, those
18 fees, are those contingent
19 on NYSOPBA.

20 TREASURER VIDDIVO: We
21 pay them nothing unless
22 they collect money. Is
23 that what you're asking?

24 JERRY OSTERHOUDT: That

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1 seven hundred fifty
2 dollars that we have to
3 pay out to get the lawsuit
4 drawn up --

5 TREASURER VIDDIVO:
6 Right. If we get nothing
7 back through them, which
8 we will, through
9 collections we will. But
10 if we get nothing back it
11 would be a seven hundred
12 fifty loss each lawsuit.

13 JERRY OSTERHOUDT:
14 What's the maximum amount
15 of money that members
16 received for the Rainy Day
17 Fund?

18 TREASURER VIDDIVO
19 Individually?
20 Approximately thirty-two
21 thousand dollars.

22 JERRY OSTERHOUDT: I
23 just wanted to understand.

24 TREASURER VIDDIVO:

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1 KENNY GOLD: I never
2 got one, I don't know.

3 TREASURER VIDDIVO: No,
4 I'm explaining to you,
5 that's what they're going
6 to get. They're going to
7 get a letter. It's going
8 to be from Mr. Marinstein.
9 It's going to say, you
10 have the ability to pay
11 NYSCOPBA would you like to
12 do so. That's what it's
13 going to say.

14 So they're going to get
15 a letter and give them an
16 opportunity to make good
17 on that and then the
18 process begins. And they
19 go -- I mean there's a
20 statute they got to
21 follow, how they got to
22 sue people and all that
23 good stuff.

24 So they will follow

115

1 It's fifteen hundred per
2 pay period. We had one
3 individual that currently
4 is almost two years.

5 JERRY OSTERHOUDT:
6 Okay. I was just asking.

7 TREASURER VIDDIVO: No
8 problem. Absolutely.

9 KENNY GOLD: I just
10 want to clarify, what I
11 was asking is simply
12 before we go and tell
13 these members we're going
14 to do a collection agency
15 on you, we never said we
16 were going to do this
17 before. Tell the guys
18 that actually owe it,
19 that's all.

20 TREASURER VIDDIVO:
21 Kenny, the ninety day
22 letter says everything
23 that you just said in the
24 letter.

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1 that process. If it's
2 this body's wish not to
3 bring on Marinstein at
4 this time, go back to your
5 members and clarify the
6 Rainy Day Fund. I think
7 at this point they pretty
8 much all know what it is
9 and how it works.

10 But me personally, I'd
11 like to move forward and
12 get it in place. Because
13 just those five
14 individuals owe a little
15 over a hundred thousand
16 dollars back to the fund
17 So is everyone good with
18 moving this forward, I
19 need unanimous consent.

20 JIMMY MILLER: Jim
21 Sonko, Fishkill.

22 TREASURER VIDDIVO: Go
23 ahead, Jim, I'm sorry,
24 Buddy.

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1 JIM SONKO: Before we
2 outsource any more of our
3 money, is this something
4 that our attorneys are
5 capable of drafting a
6 letter or making that
7 collection phone call?

8 TREASURER VIDDIVO: No,
9 it's a conflict. I don't
10 want to bring in our
11 attorneys for our members.
12 That's why I'm bringing in
13 Mr. Marinstein.

14 NICOLE BELL: Nicole
15 Bell, Sullivan. How come
16 we don't make the officers
17 accountable? Why don't we
18 give them the fees that we
19 have to pay?

20 TREASURER VIDDIVO:
21 That's going to be
22 included in the
23 collections. They're
24 going to be sued for what

1 additional lawsuit to
2 recoup that money. That's
3 all judgement, that's all
4 court stuff.

5 But we will be going
6 after them for the
7 twenty-eight percent, we
8 will be going after them
9 for the fees and we will
10 be going after them for
11 interest. I hate to sound
12 like a prick, but that's
13 what we're going to be
14 doing.

15 AL ZAPPALA: Al
16 Zappala, Shawangunk. I
17 guess basically what Dave
18 is trying to say, right
19 now we're owed three
20 hundred thousand. If we
21 don't do this, we're owed
22 three hundred thousand;
23 but at least if we do
24 this, we'll get two

1 they owe, attorneys fees
2 and interest.

3 NICOLE BELL: And the
4 fees we have to pay, the
5 twenty-eight percent and
6 everything?

7 TREASURER VIDDIVO:
8 Yes. Any other questions,
9 concerns, on that? Okay.
10 Jim?

11 JIM SONKO: Sonko,
12 Fishkill. After answering
13 Nicole's questions, how
14 are we only going to
15 recoup seventy percent of
16 our money at that point
17 then?

18 TREASURER VIDDIVO:
19 We're getting seventy
20 percent back, that's the
21 definite number. Those
22 numbers are going to be
23 additional work to recoup,
24 thank's going to be an

1 hundred thousand back.
2 Two hundred thousand is
3 better than zero.

4 TREASURER VIDDIVO:
5 Okay. So it has to be
6 unanimous consent. All
7 those in favor signify by
8 saying aye.

9
10 (All respond with "aye".)

11
12 TREASURER VIDDIVO: Are
13 there any nays?

14
15 (Response of nay.)

16
17 TREASURER VIDDIVO: You
18 want to go to the mic and
19 give your name.

20 TOM GUEST: Tom Guest,
21 Gowanda.

22 TREASURER VIDDIVO:
23 Thanks, buddy. Okay. A
24 few other items I want to

1 touch base. We got some
 2 new treasurers out there,
 3 new chiefs out there.
 4 Sonya and I are going to
 5 be setting up some
 6 treasury training in
 7 Albany the week of 10/16
 8 to 10/20. I will be
 9 sending out an e-mail to
 10 all of you chiefs that
 11 have already attended and
 12 treasurers who have
 13 already attended obviously
 14 we would we love to see
 15 you but we're not going to
 16 have you come up again.
 17 This is for the new
 18 guys; new chiefs, new
 19 treasurers. We'll get an
 20 e-mail out to you to set
 21 that up; EOL time and
 22 hotels if necessary.
 23 We're going to be ramping
 24 up actual steward training

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1 with me. I didn't make
 2 copies for everybody.
 3 Personally, we don't want
 4 it going all over the
 5 country.
 6 But it is up here for
 7 you guys to look at it, it
 8 will be on the website for
 9 the members to look at it.
 10 The only number I'll give
 11 your right now, December
 12 31st, 2016 end. Total
 13 assets fourteen point
 14 seven zero three million.
 15 Also, if you guys --
 16 you new guys, new chiefs,
 17 new treasurer, whoever
 18 does your supply orders,
 19 we do have a Quill
 20 accounts. You guys have
 21 been great with that, most
 22 of you have signed up.
 23 If there is anybody new
 24 in here, I have cards up

123

1 in the office. We're
 2 going to be putting a
 3 package together.
 4 We're going to be
 5 looking to start that
 6 probably the first or
 7 second week in January to
 8 get you guys out for your
 9 steward training. Hold on
 10 one second.
 11 TED NEVILLS: What's
 12 the date for the treasurer
 13 training?
 14 TREASURER VIDDIVO:
 15 10/16 to 10/20.
 16 If anybody is
 17 interested in looking over
 18 our tax return, I have a
 19 copy up front here, I
 20 didn't make copies for
 21 everybody but you're
 22 welcome to come up and
 23 take a look at that. I
 24 also have our annual audit

122

1 on the table here, there's
 2 some cards in the back or
 3 out in the lobby for your
 4 contact at Quill to give
 5 her a shout. Set up your
 6 account and continue to
 7 order your stuff from
 8 Quill. It's worked very
 9 well. We've saved quite a
 10 bit of money utilizing
 11 them and hopefully you
 12 guys continue doing that.
 13 That's it for now.
 14 I will see you later.
 15 We'll go over the budget
 16 probably -- maybe
 17 tomorrow? Do you want to
 18 do it now? All right.
 19 Take ten minutes and then
 20 we'll do the budget.
 21
 22 (Recess taken.)
 23
 24

124

1 TREASURER VIDDIVO:
2 We're going to get
3 started. Mike and Tammy
4 had mentioned that we had
5 a statewide golf
6 tournament last week. It
7 was a great success, as
8 far as I'm concerned. One
9 of our biggest attendance,
10 we had thirty-two teams
11 participate.

12 The weather was crappy,
13 but we had a good day. I
14 just wanted to thank all
15 of our sponsors because
16 they came through big this
17 year. It's the biggest
18 year to date and we've
19 been doing it for ten
20 years; our 10th Annual.
21 JCB, Amy, Norvest, Aflac,
22 Liberty Mutual, Capitol
23 Hills Golf Course, Airway
24 Meadows Golf Course, State

125

1 the work that they do.

2 So, I'm going to make a
3 check presentation here
4 today to Jay and Allie
5 West, our New York reps.
6 And we'd like to say thank
7 you and give you this
8 check. And we appreciate
9 all that you do.

10 (All applause and
11 standing ovation.)

12 TREASURER VIDDIVO:
13 Twelve thousand dollars.
14 We're going to move the
15 budget to tomorrow morning
16 and knock that out
17 tomorrow. Obviously I'll
18 do the budget, and as you
19 guys can see, there's a
20 ten percent and a twenty
21 percent budget in there,
22 too, that I'll explain but

127

1 Police were there, they
2 played. Kidney
3 Foundation. Executive
4 board members, Mike,
5 Tammy, some retirees,
6 board member. Randy page,
7 Randy Johnson; and
8 thirty-two teams of guys
9 that showed up to support
10 a really, really good
11 cause.

12 If you guys don't know
13 who CPOF is, which I'm
14 sure most of you do,
15 Correctional Peace
16 Officers Foundation,
17 they're a great
18 organization that gives
19 back to correction
20 families all over the
21 country; including New
22 York State. And we're
23 honored to give back to
24 them and support them for

126

1 wait until tomorrow. Just
2 so that we can cover it
3 all and answer any
4 questions. Thanks.

5 PRESIDENT POWERS: I'm
6 going to ask consent to go
7 off the agenda to approve
8 the Collective Bargaining
9 Committee will be meeting
10 today and we have a change
11 in the northern region as
12 far as the committee's
13 seat. We're not getting
14 into committee reports,
15 we're going to do this to
16 enact the individual that
17 is serving on the
18 committee, so that he can
19 meet today with the
20 bargaining committee.

21 So I'm going to need
22 unanimous consent or sixty
23 percent approval from
24 this body to go off the

128

1 agenda and move this. Ail
2 signify by saying aye.

3
4 (Response of "Aye".)

5
6 PRESIDENT POWERS

7 Anybody: Opposed.

8
9 (No Response.)

10
11 PRESIDENT POWERS

12 Thank you. Mike?

13 VP MID-HUDSON MAZZELLA:

14 Mike Mazzella, Mid-Hudson
15 Region. Just as a matter
16 of, I guess, reference and
17 the fact is that all
18 committees their term was
19 over. So these are
20 actually new committee
21 elections.

22 Of course we don't
23 normally go through all
24 the rigamarole of

129

1 Chair for the Election
2 Committee. And the only
3 reason we're doing the
4 Election -- or I'm, the
5 Collective Bargaining
6 Committee today, is
7 because the Collective
8 Bargaining Committee has
9 to meet this afternoon
10 prior to next weeks
11 negotiation session. So
12 we can get everybody up to
13 speed, if there is any new
14 members.

15 So, at this time
16 Collective Bargaining
17 Committee is going to take
18 nominations for law
19 enforcement. I nominate
20 Rich Janes. Is there any
21 other nominations?

22
23 (No Response.)
24

131

1 elections, we do that at
2 the regional level. Just
3 so everybody knows that
4 when Mike says there's
5 only one change in the
6 committee, technically
7 they all change but
8 they've elected to keep
9 the same people.

10 So I just wanted that
11 for the record that we're
12 not extending a person on
13 a committee, we actually
14 reelected that person on a
15 regional level.

16 PRESIDENT POWERS:

17 Thanks for the clarity.
18 Does everyone understand
19 that? I apologize for the
20 omission.

21 VP LAW ENFORCEMENT

22 HARMON: John Harmon, Law
23 Enforcement Vice
24 President. I'm also the

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1 VP LAW ENFORCEMENT

2 HARMON: Rich Janes, Law
3 Enforcement, Collective
4 Bargaining Committee. Mid
5 Hudson Region, nominations
6 for Collective Bargaining
7 Committee?

8 VP MID-HUDSON MAZZELLA:
9 Mid Hudson nominates Kevin
10 Donnelly.

11 VP LAW ENFORCEMENT

12 HARMON: Kevin Donnelly.
13 Any other nominations for
14 Collective Bargaining
15 committee for Mid Hudson
16 region? None. Kevin
17 Donnelly Mid Hudson
18 Region. Southern Region,
19 nominations for Collective
20 Bargaining Committee?

21 VP SOUTH FISHER:

22 Clarence Fisher, Southern
23 Region. Nominate Dave
24 Luther.

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1 VP LAW ENFORCEMENT
 2 HARMON: Dave Luther. Any
 3 other nominations for the
 4 Southern Region? Seeing
 5 none, Dave Luther.
 6 Northern Region,
 7 nomination for Collective
 8 Bargaining Committee.

9 ACTING VP NORTH
 10 BRUNELLE: Rich Brunelle,
 11 Northern Region,
 12 nomination Brian Gary from
 13 Upstate.

14 VP LAW ENFORCEMENT
 15 HARMON: Brian Gary. Any
 16 other nominations for
 17 Northern Region? Seeing
 18 none, Brian Gary, Northern
 19 Region. Western Region,
 20 nomination for Collective
 21 Bargaining Committee?

22 VP WEST MIANO: Joe
 23 Miano, Western Region.
 24 Andy Rice, Elmira.

1 PRESIDENT POWERS:
 2 Pending Mike Dildine's
 3 retirement as the co-chair
 4 for the Collective
 5 bargaining Committee and
 6 the Board, and Mike
 7 Mazzella has graciously
 8 stepped up and offered to
 9 be a co-chair of the
 10 Collective Bargaining
 11 Committee along with John
 12 Harmon for your
 13 information.

14 To get back on to the
 15 agenda, we'll move in to
 16 departmental reports.
 17 Collective Bargaining
 18 Committee will be meeting
 19 at one o'clock today in
 20 this room, this afternoon.
 21 Departmental reports.
 22 Sharon?

23 SHARON SMITH: Good
 24 morning. Can you hear me?

1 VP LAW ENFORCEMENT
 2 HARMON: Andy Rice,
 3 Elmira. Any other
 4 nominations for the
 5 Western Region? Seeing
 6 none, Andy Rice. Central
 7 Region nominations for
 8 Collective Bargaining
 9 Committee?

10 VP CENTRAL LASHWAY:
 11 Paul Lashway, Central
 12 Region. Ted Nevills,
 13 Watertown.

14 VP LAW ENFORCEMENT
 15 HARMON: Any other
 16 nominations for Central
 17 Region? Seeing none, Ted
 18 Nevills. The Collective
 19 Bargaining Committee will
 20 consist of Rich Janes,
 21 Kevin Donnelly, Dave
 22 Luther, Brian Gary, Andy
 23 Rice and Ted Nevills.
 24 Thank you.

1 I'll be quick. I just got
 2 information yesterday
 3 regarding the flex
 4 spending account for 2018.
 5 I will do a memo when I
 6 get back to the office to
 7 all the chiefs, so you'll
 8 have all this information.
 9 I just thought I'd go
 10 through it quickly, but
 11 I'll make sure I get the
 12 information to you.

13 Enrollment will be able
 14 to be done either online
 15 or by telephone between
 16 October 2nd and November
 17 6th, so that's the time
 18 period people can sign up
 19 for it. At present, the
 20 annual contribution is two
 21 twenty-six hundred
 22 dollars. But that may be
 23 subject to change because
 24 it's based on the index to

1 inflation and the
 2 government hasn't decided
 3 on that yet.
 4 So that amount could
 5 change, but presently
 6 that's what they're
 7 signing up for. If there
 8 is changes, they'll let
 9 everybody know if they can
 10 do more than that. The
 11 minimum is a hundred
 12 dollars; that's the
 13 minimum you can sign up
 14 for that program.
 15 Dependent care
 16 advantage account where
 17 you can, if you know you
 18 have day care or a parent
 19 that, you know, you pay to
 20 have them looked after,
 21 that account as you know
 22 there's an employer
 23 contribution to that. At
 24 this point NYSOPBA will

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1 member asking you about
 2 it.
 3 I just want -- a couple
 4 reminders, the rate
 5 renewal meeting is going
 6 to be held at the end of
 7 this month. As you know,
 8 once the rates go on,
 9 which is normally around
 10 the middle, end of
 11 November, that starts the
 12 option transfer period. I
 13 just want to mention again
 14 for the opt-out program, I
 15 get these all yearlong.
 16 That is the only time a
 17 member can get in to the
 18 opt-out program.
 19 You can't do it during
 20 the year, you decide in
 21 March you want to get in
 22 to it. You can't opt in
 23 to that program. You can
 24 opt out of health

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1 not get that employer
 2 contribution because we
 3 don't have a contract.
 4 So, pending whether we
 5 get one, whether they will
 6 let us in for 2018, but at
 7 this time members would
 8 not be eligible for that.
 9 Flyers are going to be
 10 handed out with the
 11 September 20th,
 12 administration paycheck,
 13 and September 28th for the
 14 institutional paychecks.
 15 That's when everybody will
 16 get the flyers on the
 17 information and be able to
 18 look it over.
 19 There's a website and a
 20 phone number and so forth.
 21 Again, I will send this
 22 out to you probably
 23 Friday. I'll send it out
 24 to you in case you have a

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1 insurance, but you
 2 wouldn't get the pay out.
 3 They can only do it during
 4 the option transfer
 5 period.
 6 So if anybody asks you
 7 that. And anybody
 8 presently in it, has to go
 9 back down and recertify
 10 for 2018, if they don't
 11 they will not get those
 12 monies for next year. And
 13 they will have to get back
 14 in next year and then be
 15 eligible the following
 16 year.
 17 So I thought I would
 18 mention that just a
 19 reminder for you.
 20 SHAWN KEENAN: What are
 21 the dates?
 22 SHARON SMITH: When the
 23 rate sheet goes out, the
 24 rates haven't been decided

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1 yet. It's normally the
 2 month of December. It
 3 might be a little bit of
 4 November into December or
 5 the whole month of
 6 December. It runs thirty
 7 days from when the date
 8 that the rate sheets are
 9 sent to the members. And
 10 it's right in the rate
 11 sheet so it will tell you
 12 the exact date.

13 And I will get that out
 14 to you when I know. The
 15 only other thing I wanted
 16 to mention, Tammy had
 17 mentioned about a veteran
 18 who came back and his
 19 health insurance was not
 20 in tact and we had to get
 21 that all straightened out.

22 I have had a couple of
 23 these. I just want to
 24 mention to you, if you

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1 And that's all I have
 2 unless anybody has any
 3 questions? Thank you.

4 PRESIDENT POWERS:
 5 Thank you, Sharon. Bill?

6 BILL NAYLOR: Good
 7 morning. So, I have been
 8 getting quite a few phone
 9 calls of members having
 10 issues getting into the
 11 retirement seminars for
 12 New York State. As I put
 13 out in the past, we have a
 14 unique opportunity to work
 15 with EAP to set up what's
 16 called a retirement
 17 resource day.

18 What the retirement
 19 resource day is it's
 20 essentially a retirement
 21 seminar locally at your
 22 facility. It works
 23 through EAP, your EAP
 24 coordinator should contact

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1 have a Veteran that comes
 2 to you and he gets
 3 activation papers and he's
 4 not sure what to do, make
 5 sure you tell him to go to
 6 personnel; they need a
 7 copy of those papers. And
 8 then they will mark their
 9 file accordingly and they
 10 won't have these problems.

11 Now, some HBA's don't
 12 do it correctly and
 13 there's still a problem
 14 and we can get it
 15 corrected on the other
 16 end. But, make sure they
 17 are required to provide a
 18 copy of that to personnel.
 19 So I thought I'd mention
 20 to you, if someone comes
 21 to you like, what do I do
 22 as far as my health
 23 insurance, to have them go
 24 down there.

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1 the regional rep. The
 2 regional rep will make the
 3 contacts with civil
 4 service, retirement,
 5 deferred comp and all the
 6 players that come through
 7 the retirement seminars
 8 through GOER.

9 The nice thing about it
 10 is, when you set it up at
 11 the local level, not only
 12 is it specific to DOCCS
 13 personnel or OMH
 14 personnel, retirement
 15 comes they'll actually do
 16 your numbers. So they set
 17 up a hot spot, deferred
 18 comp, they'll set up a hot
 19 spot, you'll be able to
 20 get your numbers at that
 21 time, as well as listen
 22 what's available through
 23 civil service and any
 24 other departments.

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1 So if you're interested
 2 in doing something like
 3 that at the local level,
 4 contact me or have your
 5 EAP coordinator contact
 6 me. And I can put them in
 7 touch with other
 8 coordinators that have
 9 been very successful in
 10 doing this. Clinton does
 11 a great job. Riverview
 12 just started one again
 13 this year. Upstate.
 14 Moriah Shock actually had
 15 one.

16 So, it's a great tool
 17 for us to get these
 18 retirement seminars done.
 19 The beauty of it, too, is
 20 it's not a one shot deal.
 21 Whereas, with the
 22 retirement seminar
 23 through the State, you
 24 have to have at least

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1 three different dental
 2 plans; two through New
 3 York State and one through
 4 NYSOPBA.

5 Just to kind of without
 6 getting into rates or
 7 anything, but COBRA lasts
 8 for three years. At the
 9 end of the three years
 10 you're entitled to go to
 11 what's called direct pay
 12 through Emblem Health.
 13 The coverage is a little
 14 bit different.

15 COBRA covers
 16 twenty-three hundred per
 17 person per year; Direct
 18 Pay covers eighteen
 19 hundred per person per
 20 year. One of the big
 21 differences is with Direct
 22 Pay, if you have kids that
 23 are nineteen years or
 24 older on your plan through

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1 twenty years on the job,
 2 you can only do it once in
 3 your career. With these
 4 resource days, if your
 5 facility sets one up every
 6 year, you can essentially
 7 go every year and get your
 8 numbers again or get new
 9 information; things like
 10 that.

11 So I strongly suggest
 12 you try and look at that.
 13 Especially if you're
 14 having members who are
 15 having issues with getting
 16 into these retirement
 17 seminars, because the
 18 seats are limited through
 19 GOER.

20 To clear up, I have
 21 also been getting phone
 22 calls on our dental plans.
 23 So, when you retire you're
 24 essentially entitled to

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1 COBRA, they'll get
 2 bounced. They're not
 3 allowed coverage under
 4 Direct Pay if they're
 5 nineteen or older. You
 6 can keep them on COBRA for
 7 the three years up until
 8 age twenty-six.

9 Now, with NYSOPBA
 10 dental plan, which is also
 11 GHI, you can continue
 12 coverage with your kids up
 13 to age twenty-six, but
 14 here's the difference.
 15 Direct Pay and COBRA, if
 16 something happens to you,
 17 the member, your spouse
 18 or -- your spouse can
 19 continue coverage for the
 20 rest of their life. With
 21 our plan they can only
 22 continue coverage for
 23 eighteen months.

24 So I just wanted to

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1 make sure that everybody
2 understood, and kind of
3 take back to your members
4 that when you are choosing
5 a dental plan when you do
6 retire, keep in mind, you
7 know, what your situation
8 is as far as dependents
9 and things like that.

10 I've have been doing
11 quite a few site visits.
12 I have been to Sing Sing,
13 Coxsackie, Great Meadow,
14 Marcy. For me it's the
15 best bang for my buck. I
16 get to go in there, bring
17 all my material,
18 one-on-one conversations
19 with members. Any
20 questions from disability,
21 military buy-back, the
22 process.

23 So it's a great
24 opportunity to have me

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1 little deeper. So I
2 averaged out through 2007
3 when we started keeping
4 track of our statistics
5 through the retiree
6 chapter, to 2013, we're
7 averaging about forty-six
8 retiree deaths a year.

9 From 2011 to present,
10 mind you we're not
11 finished with 2017 yet,
12 but from 2011 to present,
13 we averaged -- we're
14 averaging about
15 seventy-one deaths per
16 year. There's been quite
17 a bit of uptake in that.

18 The reason for that, I
19 don't know. Maybe members
20 getting older and getting
21 on in life. But keep in
22 mind that 2017 is still
23 not finished, so that
24 number could actually

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1 come in and have members
2 come up and be able to
3 meet me and get specific
4 questions answered. So
5 I'm open to that at your
6 facility level if you're
7 looking to do that.

8 Before I get into the
9 chapter stats, the retiree
10 chapter stats, when I was
11 going through it, I was
12 looking at, you know,
13 death averages for our
14 members. So, just to give
15 you an idea in 2016, we
16 averaged about nine deaths
17 per month of our retirees.
18 In 2017 to date we're
19 averaging about eleven a
20 month. So, there's a
21 little bit of uptake
22 there.

23 So that caused me to
24 look into the stats a

150

1 grow.

2 So my stats for the
3 total June, July and
4 August, we've added 235
5 retirees. We've had
6 thirty members pass.

7 Eighteen have failed to
8 renew. And our total
9 right now is 9766 members
10 in the retiree chapter.
11 Any questions?

12 VP MID-HUDSON MAZZELLA:
13 Mike Mazzella Mid Hudson.
14 It might take a little bit
15 of research for you, but
16 do we know the average age
17 of the member when they
18 passed? Like, are we
19 looking at age fifty-eight
20 or are we looking at age
21 seventy?

22 BILL NAYLOR: I haven't
23 looked at it as far as age
24 averages. I don't know if

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1 we can -- yeah, we can do
2 that. Any other questions
3 for me? All right.
4 Thank you.

5 PRESIDENT POWERS:
6 Thanks, Bill. That
7 concludes departmental
8 reports. We'll move into
9 committee reports.
10 Finance committee.

11 TREASURER VIDDIVO:
12 Okay. Tomorrow morning
13 has come, so I'm going to
14 do this now. So get out
15 your budget sheet, you all
16 have it in your packet and
17 follow along if you'd
18 like. So you guys see the
19 main budget, these are all
20 drafts, these are all
21 proposed. I had to get it
22 to you by October 1st, so
23 here it is.

24 Okay. 21,500 member

1 We raised that up to
2 206,250 estimated 8250
3 retired members at
4 twenty-five dollars.

5 Rental, we rented the
6 first floor of the
7 building to Equinox four
8 thousand, five hundred
9 sixty-eight monthly
10 income. Last year we
11 budgeted for one hundred,
12 hoping to rent both
13 floors, we did not do
14 that. But we do have one
15 floor rented and that's
16 fifty-four thousand,
17 eighty fifty for next
18 year.

19 Miscellaneous income.
20 This is the vendors giving
21 back to the ones they
22 love, sixty-five thousand
23 dollars. The one big
24 caveat here that you will

1 union dues; 23.19 a pay
2 period; 2017 budget,
3 thirteen million. 2018
4 budget, thirteen million.
5 So there's no change
6 there. Our earnings last
7 year on investments was
8 approximately one hundred
9 seventy-five thousand.
10 We've done very well with
11 RBC and changing over to
12 the new bonds that we've
13 purchased. So we have an
14 estimated earnings for
15 2018 of three hundred
16 twenty-five thousand
17 dollars. So that was
18 eighty-six percent
19 increase so we've gained
20 some revenues there.

21 Retiree members dues,
22 last year seventy-five
23 hundred at twenty-five,
24 was one eighty-seven five.

1 see is that the committee,
2 along with I, decided not
3 to include our 25/9 money
4 in this 2018 budget due to
5 the fact that we obviously
6 don't have a contract and
7 really we don't know when
8 exactly we're going to
9 have one.

10 So, in discussion
11 instead of keeping that in
12 there we decided to remove
13 that. And as you can see
14 that number is zero for
15 2018, down from nine
16 hundred sixty-two
17 thousand. Which for
18 informational purposes is
19 twenty-one thousand, five
20 hundred members at forty
21 dollars seventy-nine cents
22 per member and joint
23 health benefits, that they
24 reimburse us for Sharon,

1 eighty-five thousand.
 2 Employee payroll, one
 3 point two million last
 4 year, one point two
 5 million again. We made no
 6 changes there to any
 7 staff. Taxes and fringes,
 8 stays the same; four
 9 hundred thousand.
 10 Appreciation and
 11 amortization, one hundred
 12 thousand, stays the same.
 13 Equipment lease and
 14 rental, we got a lower
 15 lease on some of our
 16 copiers and printers, so
 17 that's going down to
 18 thirty-six thousand from
 19 forty-four thousand.
 20 Insurance, we got a
 21 reduction in one of those
 22 as well, so that's going
 23 down to sixty thousand
 24 from sixty-five thousand.

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1 so that won't affect
 2 anybody getting one, but
 3 does affect the budget
 4 line.
 5 Political action
 6 contributions, point three
 7 seven five per member,
 8 that's the same.
 9 Twenty-one thousand five
 10 hundred members,
 11 twenty-six pay periods;
 12 four hundred thousand
 13 dollars.
 14 Legislative expenses,
 15 we changed that up a
 16 little bit from three
 17 hundred thousand this year
 18 to one hundred fifty-five
 19 thousand next year. Spoke
 20 with Dan Valente, Keith
 21 Jacques, they're going to
 22 revamp the way they do
 23 Lobby Days. Lobby Days
 24 this year ran us a hundred

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1 Repairs and maintenance,
 2 same, fifteen thousand.
 3 Member benefits, last year
 4 one point four million.
 5 We lowered that this year
 6 2018 to one point two five
 7 million. And all we did
 8 there was reduce the
 9 scholarships; the amount
 10 of scholarships. Not the
 11 money amount, but the
 12 total we give out from
 13 five hundred to two fifty.
 14 So that was the hundred
 15 fifty thousand dollars in
 16 reduction for that line
 17 and have no fear,
 18 everybody will still get a
 19 scholarship. We're
 20 running about a hundred
 21 eighty to two hundred
 22 scholarships. So we have
 23 plenty of room there to
 24 get all scholarships out,

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1 eighty thousand dollars.
 2 I didn't think we got
 3 bang for the buck for
 4 that, neither did Dan and
 5 Keith. So what they're
 6 going to do or proposed to
 7 do, is to switch the Lobby
 8 Day back up to a reception
 9 type event with board
 10 members, committee
 11 members, and you guys,
 12 chiefs, that would be
 13 eligible to go to that,
 14 which would cut the cost
 15 down by a hundred fifty
 16 thousand dollars.
 17 They're also talking
 18 about doing their PAC
 19 seminars, rolling it into
 20 the training so to kill
 21 two birds with one stone
 22 there. So that's why we
 23 dropped that down by one
 24 hundred forty-five

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1 thousand.
 2 Postage and mailings,
 3 we reduced the amount of
 4 mailings that we do,
 5 although we've done a few
 6 big ones lately. That
 7 should go down sixty-four
 8 thousand next year from
 9 seventy-five. Same thing
 10 with printing and outside
 11 copying down from
 12 eighty-five to sixty-four.

13 Office expenses we did
 14 a twenty percent reduction
 15 from one twenty-five to
 16 one hundred; less pens for
 17 everyone. Travel costs,
 18 six hundred thousand.
 19 What we did here is
 20 dropped it down fifty
 21 thousand dollars from one
 22 point two -- or raised it
 23 fifty thousand dollars
 24 from one point one five to

1 temp staff. One eighty
 2 last year, one hundred --
 3 one eighty this year, one
 4 hundred thousand next
 5 year. We still paid MPS
 6 four thousand, five
 7 hundred and eighty-three
 8 dollars and thirty-three
 9 cents a month, that's
 10 fifty-five thousand. We
 11 no longer have MPS or St.
 12 John's. And we put back
 13 in forty-five thousand in
 14 case we need to bring on
 15 someone along those lines
 16 as far as lobbyist or PR.

17 Legal fees, retainer
 18 stays the same, two point
 19 seven five. Arbitration
 20 fees, this year one
 21 hundred fifty thousand;
 22 2018 budget, nothing. And
 23 when I say arbitration, I
 24 mean elections. So our

1 one point two, but we
 2 actually cut the mileage
 3 rate and the per diem to
 4 save on the losses that we
 5 have from the lodging
 6 because that cost has
 7 become very expensive.

8 What we're doing or
 9 proposing to do is to move
 10 the per diem from
 11 sixty-two dollars down to
 12 fifty-two dollars. And
 13 the mileage down five
 14 cents down to forty-nine
 15 cents. So I just wanted
 16 to put that out to you
 17 guys, because obviously it
 18 affects all of you in this
 19 room.

20 Professional fees and
 21 accounting, same, eighty
 22 thousand dollars for Brian
 23 Leyden and WDR who does
 24 our audit. Consulting

1 stateside is going to be
 2 done and we won't have to
 3 worry about that next
 4 year.

5 Public relations, this
 6 year seven hundred
 7 thirty-five thousand; next
 8 year, seven hundred
 9 thousand. We dropped that
 10 down by thirty-five by
 11 reducing advertising by
 12 fifty thousand;
 13 promotional by twenty-five
 14 thousand; and then the
 15 kickback of the
 16 scholarships to the
 17 twenty-five thousand. So
 18 that's seven hundred
 19 thousand down from seven
 20 thirty-five.

21 Regional public
 22 relations, that's the VPs,
 23 now they get ten dollars
 24 per member in their

1 regions; we dropped that
2 down to seven dollars and
3 fifty cents. So that goes
4 from two hundred thousand
5 down to one hundred fifty
6 thousand.

7 Occupancy, that raised
8 up about three thousand
9 dollars for next year
10 based on our leases from
11 seventy-two thousand up to
12 seventy-five thousand.
13 Apartments, status quo,
14 it's the same; that
15 includes the lease and all
16 the utilities.
17 Miscellaneous expenses,
18 seventy-five hundred,
19 stays the same.

20 Sector operations.
21 This year, one point four
22 million; next year seven
23 hundred sixty-one
24 thousand. This is based

165

1 special sector funding as
2 you know, all into one
3 pool for your facilities.
4 That's a new budget line,
5 so that three hundred
6 eighty-nine also got
7 backed out of there. But
8 I rolled it into the next
9 budget line which is the
10 special sector funding.

11 So, seven hundred and
12 sixty-one thousand for
13 2018 budget. As I said,
14 twenty-one thousand five
15 hundred members at
16 thirty-four dollars per
17 person; seven hundred
18 thirty-one thousand,
19 that's the new budget
20 line, fifty-nine two four,
21 special sector funding.

22 Special association
23 operation charity, we
24 eliminated that because

167

1 on moving it to six local
2 meetings per year, as
3 opposed to monthly, which
4 is basically the wording
5 in the Constitution, that
6 you should do at least six
7 per year.

8 So we're going restrict
9 it, I hate to use that
10 word but that's what we're
11 going to do, is go down to
12 six local meetings per
13 year. That reduction is
14 two hundred fifty thousand
15 dollars. We spend a lot
16 of money at local
17 meetings.

18 You have guys have
19 redefined the word
20 refreshments. Also,
21 there's a reduction there
22 of three hundred
23 eighty-nine thousand
24 because I rolled your

166

1 that got rolled into the
2 last budget line of seven
3 hundred thirty-one
4 thousand. Telephone, we
5 got a slight reduction on
6 that over the years, so
7 that's going to go down to
8 ninety-six thousand from
9 one-oh-two.

10 Training, as you guys
11 know, we had the new
12 elections, we're going to
13 be doing steward training
14 next year. So that went
15 from sixty thousand up to
16 90 thousand.

17 Union leave, this year
18 two point nine; next year
19 two point eight. We had
20 an individual go back to
21 the facility, came off
22 union leave, so there's a
23 hundred thousand there.
24 Building, this year two

168

1 seventy; next year two
2 forty. I took thirty
3 thousand off for building
4 upgrades. There will be
5 no building upgrades for
6 2018 budget.

7 And that's it. Does
8 anyone have any questions
9 on that budget? Donny?

10 MR. ROWE: Rowe, Hale
11 Creek. Dave, I just got
12 one issue with the 25/9
13 money. Obviously back, I
14 can't pick the date, but
15 this body through the
16 finance committee came to
17 an agreement that 25/9
18 money will be placed in
19 the budget as the prior
20 year.

21 Because we did a
22 historic look at it back
23 to 1982, we've always
24 received at least the same

1 motion out of this body,
2 so it would have to be
3 changed.

4 TREASURER VIDDIVO:
5 Absolutely. That's
6 absolutely, you know,
7 point of order, point of
8 discussion that you guys
9 can absolutely rule that
10 money back in. And what
11 Don just said is accurate.
12 Member benefits is pretty
13 much where that money goes
14 towards, including
15 recouping Sharon Smith's
16 salary. So, point taken.
17 Dave?

18 DAVE LUTHER: Yeah. If
19 I understood you right,
20 you're going to cut the
21 monthly meetings back to
22 six a year instead of one
23 a month if we so choose.

24 TREASURER VIDDIVO:

1 monies. And I think it's
2 important to include it
3 because those monies can
4 only -- they're supposed
5 to be kept in a separate
6 account and all that, but
7 I wouldn't get into all
8 that. But they're all
9 used for certain things
10 that affect all of our
11 members, such as basic
12 life, insurance,
13 catastrophic, whatever it
14 may be.

15 TREASURER VIDDIVO:
16 Right.

17 MR. ROWE: So I object
18 to removing that from the
19 budget because those
20 monies, when they come in,
21 they have to be accounted
22 for and they should be
23 within our budget. And
24 again, I believe it's a

1 Correct.

2 DAVE LUTHER: The
3 Constitution says we have
4 to have six a year, but it
5 doesn't say we can't have
6 any more than that.

7 TREASURER VIDDIVO:
8 Correct.

9 DAVE LUTHER: Minimum
10 of six. I'm a little
11 concerned, I'm one of
12 those guys we've
13 re-defined refreshments.

14 TREASURER VIDDIVO: I
15 think you're number one on
16 re-refining refreshments.

17 DAVE LUTHER: It's all
18 going to our members, what
19 can I tell you.

20 TREASURER VIDDIVO:
21 Let's hope so.

22 DAVE LUTHER: You know
23 better. I have some
24 concerns at this time with

1 cutting meetings back.
2 Usually it's the only way
3 that we have to
4 disseminate information to
5 our members, in a proper
6 forum with questions and
7 answers without going
8 through Face Crap to
9 answer questions and
10 things get distorted.

11 However, I am concerned
12 about, if they want to cut
13 it back to six, it should
14 be every facilities
15 decision, not mandated by
16 the Executive Board or the
17 budget. You follow me?

18 TREASURER VIDDIVO: I
19 do.

20 DAVE LUTHER: So, I
21 take -- that's the only
22 thing I see in the budget
23 that I don't agree with.
24 I think each facility

173

1 a meeting of twelve people
2 that come to your union
3 meeting, or thirty people
4 or forty people.

5 And I understand that
6 there are facilities out
7 there that, you know, will
8 purchase pizza and
9 whatever is left over
10 bring it inside the
11 facility and feed the men,
12 I get that. But when
13 we're looking at Janus
14 versus AFSCME, when where
15 we're looking at things
16 where we're not going to
17 have this open checkbook,
18 those are the things we're
19 going to have to cut back
20 on.

21 So, you know, if you're
22 doing a meeting at your
23 facility where you have
24 about thirty or forty

175

1 should have the option, if
2 they want to have a
3 meeting a month, as long
4 as you're getting a quorum
5 and you're conducting
6 business, they should be
7 allowed to do it.

8 TREASURER VIDDIVO:
9 Thank you, Dave.

10 VP MID-HUDSON MAZZELLA:
11 Mike Mazzella, Mid-Hudson.
12 I'm also opposed to that
13 portion of the budget, as
14 I spoke yesterday at the
15 Executive Board. I think
16 there should be a cap on
17 how much you can spend for
18 a meeting.

19 Let's say you have six
20 hundred members total at
21 your facility, you know,
22 there shouldn't be a
23 reason to spend two or
24 three thousand dollars for

174

1 people, there's no reason
2 to spend a thousand
3 dollars on refreshments.
4 Okay. Pizzas and wings
5 cost you 200 bucks, that's
6 all I'm saying. Thanks.

7 TREASURER VIDDIVO:
8 Thanks, Mike.

9 MATT MULLIN: Matt
10 Mullin, Mohawk. I would
11 also like to add to that
12 that we would not be in
13 opposition to spending
14 caps or alternative form
15 of reducing that monies
16 spent. But it's our
17 stance we can't conduct
18 effective business with
19 six meetings a month, for
20 quorums and --

21 TREASURER VIDDIVO:
22 Sing Sing does six
23 meetings a month.

24 MIKE MULLIN: We need

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1 to move faster than that,
2 more often than that.
3 TREASURER VIDDIVO:
4 Mike?
5 MIKE CARLSON: Mike
6 Carlson, Forest Rangers.
7 Dave, one of the lines you
8 have for parking lot, 26
9 thousand, was that for
10 maintenance?
11 TREASURER VIDDIVO:
12 What's that, parking lot?
13 We ended up -- that was
14 for this year.
15 MIKE CARLSON: The
16 other thing I did note was
17 that a lot of cutbacks
18 were on the membership
19 here on their backs and
20 not somebody else. These
21 are the -- we're the guys
22 out here doing it for
23 nothing. I don't know if
24 that's the place you want

177

1 every had. Has anybody
2 put thought towards that?
3 Membership involvement is
4 one thing we strive for,
5 if anything else.
6 TREASURER VIDDIVO: So,
7 is it accurate that we're
8 getting more people to
9 these meetings, is that
10 why the costs has
11 dramatically gone up?
12 KENNY GOLD: I was
13 talking about Lobby Days.
14 I'm sure the meetings have
15 a lot of people, they just
16 forget to sign in.
17 TREASURER VIDDIVO:
18 Good points. All good
19 points. Valid points. On
20 my side of the table being
21 the treasurer, I'm not
22 going to point out
23 specific facilities, but
24 doing a running twelve

179

1 to cut first. That
2 probably is the place you
3 want to cut last.
4 TREASURER VIDDIVO:
5 Kenny?
6 KENNY GOLD: Kenny
7 Gold, Orleans. I also
8 agree with everybody else
9 that came up here about
10 the meetings and cutting
11 it down, there's no way to
12 effectively do our
13 business. Also to
14 piggyback off of what Mike
15 said over here, the Lobby
16 Days, we've been fighting
17 for years every meeting
18 saying we got to get our
19 members involved.
20 I understand the cost
21 incurred with it, but now
22 to turn around and cut it
23 after we probably have the
24 highest numbers we've

178

1 month tally, I've got
2 numbers like twenty
3 thousand, forty-five
4 thousand, eighteen
5 thousand, seventeen,
6 twenty, forty-five,
7 twenty-eight, thirteen,
8 seventeen, sixteen,
9 seventy. Seventy thousand
10 for the year for meetings.
11 So, listen, I hear
12 everything you guys are
13 saying. Now you know my
14 side of the story. I have
15 come to this mic for the
16 last fourteen months and I
17 have made it clear to you
18 guys you have to be
19 reasonable when you're
20 spending money for
21 meetings. I don't know
22 what else to say other
23 than, you know, you're
24 chiefs. You're supposed

180

1 to be cognizant of the
2 funds of this
3 organization.

4 And, you know, we
5 thought in the finance
6 committee to take it away,
7 the ability to spend money
8 that is out of control
9 quite frankly. I mean,
10 I'm sure people have other
11 ideas as to a dollar a
12 man, five hundred a
13 meeting, all that stuff.

14 That's great.

15 But once again, it's
16 back on your lap to do
17 that. You have to do
18 that. So, that's why we
19 went with the six
20 meetings. On top of that,
21 you know, you guys do have
22 special sector funding
23 money that you can do an
24 additional meeting all you

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1 RECORDING SECRETARY

2 DILDINE: Everybody makes
3 good points, they say they
4 don't want to cut in this
5 room, right? Well, that's
6 this year budget. You're
7 going to see when you get
8 into ten and twenty
9 percent cuts, because
10 Janus versus AFSCME is
11 coming. It's not like it
12 might not get here, it's
13 coming. And you're going
14 to have to cut.

15 And what you have to
16 remember, as an
17 organization you by law
18 have to do certain things.
19 And that isn't to provide
20 pizza and wings and all
21 this other stuff. You're
22 going to have to make hard
23 decisions. So if you
24 don't agree with these

183

1 want by motion. Call a
2 meeting, spend your SFS
3 meeting. That way maybe
4 you'll cut it down to five
5 hundred bucks as opposed
6 to three, four thousand
7 dollars. Mike?

8 RECORDING SECRETARY
9 DILDINE: Mike Dildine,
10 Recording Secretary. I
11 was going to just say what
12 you just said. I don't
13 think what you're saying,
14 maybe I'm wrong, you can't
15 have more than six
16 meetings; it's just
17 NYSCOPBA is only going to
18 pay for refreshments for
19 six meetings.

20 TREASURER VIDDIVO:
21 We'll pay for twelve, but
22 the other six come out of
23 your funds. They're your
24 funds, spend it.

182

1 cuts, find where you're
2 going to cut the money
3 because you got to cut it.

4 TREASURER VIDDIVO:
5 Jimmy?

6 JIM SONKO: Jim Sonko,
7 Fishkill. I know we spend
8 about a grand a month,
9 second largest jail,
10 twelve grand. I don't
11 understand why you're
12 making a rule -- maybe you
13 got to talk to fifteen
14 jails and say, hey, you
15 got to scale back a
16 little.

17 About the quorum part,
18 if I serve steak and
19 shrimp, I'd get a pretty
20 dan good quorum. We do
21 serve pizza. I don't
22 think we should have to
23 cut back the one thing,
24 the members come. Even if

184

1 we don't get a lot done
2 there, they have beer and
3 pizza, a little comradery.
4 Twelve grand a year,
5 doesn't sound like a lot.

6 That seventy or
7 whatever you got going on,
8 you should -- instead of
9 doing a budget and a rule
10 for all of us, need to
11 address those five or six
12 numbers or what they're
13 allowed to order.

14 TREASURER VIDDIVO: I
15 have done that. I will be
16 the first to tell you.
17 But this is as a whole,
18 these numbers across the
19 board are too high. This
20 budget line is way too
21 high. Are there others
22 that are too high? Yeah.
23 But that one is absolutely
24 out of control.

185

1 to use as well. You can
2 take it, you can use it or
3 you can tweak it or not
4 use it.

5 But we sat down and
6 tried to be proactive and
7 come up with a budget that
8 would be a reduction in
9 members. You know, not if
10 in fact Janus versus
11 AFSCME happens, because
12 most likely it will. We
13 just don't know how many
14 of our members are going
15 to decide that this isn't
16 for them. And those are
17 all unknowns right now,
18 but if we do lose
19 membership we came up with
20 these contingency budgets
21 for you guys to utilize.

22 I'm not going to go
23 into detail like I did on
24 that one, the main budget.

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1 I don't know how to say
2 it any other way. You
3 have it there. Absolutely
4 good discussion and you
5 guys can take it from
6 there.

7 So in Your packet I
8 also included what Mike
9 just said, Janus versus
10 AFSCME possibilities.
11 This it all informational.
12 These ten and twenty
13 percent, we thought we
14 would be proactive and put
15 something together.

16 Obviously you're going
17 to have a new finance
18 committee come December,
19 you're going to have a new
20 treasurer come December.
21 And I thought I'd give
22 them something to work off
23 of before I left that they
24 could use. And you guys

186

1 But basically what we did
2 is went line by line,
3 obviously cut ten percent
4 on union dues and then
5 twenty percent on union
6 dues. Interest income
7 would stay the same
8 because of the bonds that
9 we have.

10 Another caveat, this is
11 1.3 million cut off of the
12 budget and then 2.6
13 million, we actually
14 increased the retiree
15 dues, which is another
16 animal in itself because
17 that is constitutional.
18 But we increased the
19 retiree members dues to 75
20 dollars on a ten percent
21 reduction and one hundred
22 dollars on a twenty
23 percent reduction.

24 And the reasoning

188

1 behind that is to sustain
2 the retiree chapter.
3 Because if we don't do
4 that, they're most likely
5 going to have to be
6 eliminated completely.

7 Not only the chapter, but
8 the retirement specialist,
9 we're going to lose that
10 whole part of what we do.

11 So, we think that is
12 vital that gets increased
13 to 75 at a minimum and
14 then a hundred dollars on
15 a twenty percent
16 reduction. So that's in
17 there. But that's work
18 for another day.

19 Rental income, still
20 fifty-four thousand.
21 Miscellaneous, still
22 sixty-five. Once again,
23 we left out the 25/9
24 money, which is nine

1 That affected reducing
2 scholarships down from
3 five hundred to three
4 hundred, down to one
5 hundred fifty. So that's
6 a reduction down to ninety
7 thousand dollars.

8 We still think that we
9 can do that. It's going
10 to be a little tighter to
11 do that, but a reduction
12 down to one hundred fifty.
13 We eliminated catastrophic
14 completely. We do about
15 one hundred of those a
16 year at seven hundred
17 fifty dollars, that would
18 be eliminated.

19 Retirement awards we
20 eliminated retirement
21 plaques; that's fifty
22 thousand dollars.
23 Veterans trip benefits, we
24 cut that in half from

1 hundred and sixty-two
2 thousand. Employee
3 payroll, 1.2 million, we
4 left that the same. We
5 didn't eliminate any NEA
6 staff, wasn't going to do
7 that.

8 Taxes, four hundred
9 thousand, stays the same.
10 Depreciation, amortization
11 stays the same. Equipment
12 lease rental that stays
13 the same, thirty-six
14 thousand. Insurance,
15 sixty thousand, stays the
16 same. Repairs and
17 maintenance, fifteen,
18 stays the same.

19 Member benefits, ten
20 percent reduction drops it
21 down to nine seventy-two
22 six. A twenty percent
23 reduction drops it down to
24 eight forty-seven six.

1 seventy thousand down to
2 thirty-five thousand.

3 Life insurance we did a
4 reduction of thirty
5 thousand to twenty
6 thousand. And rounding
7 that off, 2018 budget, so
8 that's nine hundred
9 seventy-two six at ten and
10 eight hundred forty-seven
11 six at twenty.

12 Political action, we
13 lowed that to .25 per pay
14 period so that's a
15 reduction of basically ten
16 percent down to three
17 hundred, thirty-five
18 thousand. Legislative
19 related expenses, same
20 thing, we kept that one
21 fifty-five because really
22 we can't go much lower
23 than that.

24 Postage and mailings,

1 sixty-four thousand, that
 2 stayed the same;
 3 sixty-four thousand.
 4 Actually we reduced that
 5 by fifty dollars. Office
 6 expenses still one hundred
 7 thousand. General costs,
 8 at ten percent 1.2, at
 9 twenty percent, 1.15.
 10 That was also reducing the
 11 per diem from sixty-two to
 12 fifty-two. And also
 13 reducing the mileage from
 14 fifty-four to forty-nine.
 15 Professional fees,
 16 that's the audit and
 17 accounting. Eighty
 18 thousand, stays the same.
 19 Consulting, temp staff,
 20 still having that at
 21 fifty-five thousand. The
 22 other consultant we
 23 eliminated the forty-five
 24 thousand to bring in any

193

1 much lowered that by
 2 another two fifty per
 3 member, so that's five
 4 dollars per member at ten
 5 percent a hundred thousand
 6 and then at twenty
 7 percent, we completely
 8 eliminated that.
 9 Occupancy, stayed the
 10 same, seventy-five
 11 thousand. Association
 12 apartment, stayed the
 13 same, twenty-six, six.
 14 Miscellaneous stayed the
 15 same, seventy-five hundred
 16 on both. Sector
 17 operations, seven
 18 sixty-one stayed the same.
 19 That's also including the
 20 six meeting reduction.
 21 Special sector funding,
 22 still stays the same. We
 23 didn't reduce that at all.
 24 Thirty-four dollars per

195

1 additional PR.
 2 Legal fees, we just did
 3 across the board ten
 4 percent reduction, from
 5 275 down to 2.5 and then
 6 we did a twenty percent
 7 reduction. So that twenty
 8 percent reduction is two
 9 point three million for
 10 the legal fees.
 11 Arbitration fees, same,
 12 nothing for the next year.
 13 Public reductions, reduce
 14 that down to five hundred
 15 thousand at ten percent;
 16 two hundred ninety-eight
 17 thousand at twenty
 18 percent. We just chopped
 19 off another fifty thousand
 20 in advertising,
 21 twenty-five thousand
 22 promotional, twenty-five
 23 thousand sponsorships.
 24 Regional PR, we pretty

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1 member, seven hundred and
 2 thirty-one thousand.
 3 Charity was eliminated
 4 rolled in to Special
 5 Sector of funding.
 6 Telephone stayed the
 7 same, ninety-six thousand
 8 on both. Training stayed
 9 the same, ninety thousand
 10 for both. Union leave,
 11 down to 2.8 at ten
 12 percent. Stayed the same
 13 and down to 2.59, that's
 14 reducing union leave by
 15 two positions; special
 16 assistant to the president
 17 and Al Christian, whatever
 18 his title is.
 19 And building expenses
 20 reduced to two forty at
 21 ten percent; two hundred
 22 twenty at twenty percent.
 23 There you have it.
 24 Like I said, that's

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1 contingency. It's there
2 if we need it. It's there
3 to discuss further if in
4 fact we get bad news with
5 Janus versus AFSCME; and
6 something to work off of
7 if that does take place
8 and our members decide not
9 to stay with us. Mike?

10 RECORDING SECRETARY

11 DILDINE: Mike Dildine
12 Recording Secretary.

13 We do have a lot of
14 new stewards. Janus
15 versus AFSCME is a Supreme
16 Court case that more than
17 likely they're going to
18 take. And if they take
19 it, they're more than
20 likely at least all the
21 Supreme Court scholars or
22 anybody that pays
23 attention to it, they are
24 going to rule in favor of

1 take a massive hit, law
2 enforcement unions do
3 better, but the best
4 unions in the country are
5 only retaining eighty-four
6 to eighty-six percent of
7 their members.

8 So that's where this
9 ten and twenty percent
10 comes from. These are
11 real numbers. I don't
12 want people to think that
13 somebody is just crying
14 wolf here. These are real
15 numbers. So, there's ways
16 we're dealing with it.

17 Like I said, we talked
18 about it at the board
19 yesterday, there's laws
20 that maybe you try to
21 change but that's going to
22 take time. Ideally, my
23 opinion, I think some of
24 the other members of the

1 Janus.

2 How that affects the
3 budget is that what
4 they're going to say is,
5 members don't have to be
6 members, but you still
7 have to represent them.
8 We still have to provide
9 the same services; they
10 just don't have to pay
11 their union dues in a
12 nutshell.

13 And that's why you see
14 these reductions. What
15 it's based on, ten
16 percent, twenty percent,
17 is Bob Cronin has done a
18 lot of background work on
19 this. All over the
20 country we've paid
21 attention to right-to-work
22 states to see how their
23 membership fluctuates.
24 Non-law enforcement unions

1 board, if this goes
2 through, we try to change
3 laws in this state that
4 say, you don't have to
5 belong to NYSCOPBA but you
6 don't get our
7 representation, too.

8 But you have to change
9 the laws to do that. The
10 Taylor Law mandates us to
11 represent these people.
12 So it's going to be
13 incumbent on everybody in
14 this room that when this
15 happens, that you get your
16 membership to sign back
17 up. Because more than
18 likely the Supreme Court
19 is going to say, either
20 everyone is out, they have
21 to join, right? And if
22 they don't join, they
23 don't pay union dues.

24 Or, some -- they could

1 go and do away with
2 check-off, but it will be
3 a case where you have to
4 sign back up; some people
5 won't sign back up. And
6 hopefully, that's a small
7 amount. And if it is,
8 these cuts will become
9 minimal.

10 Maybe I'm wrong, but it
11 seems to me a lot of
12 people don't get the grasp
13 of how big this is. This
14 is mammoth for your union.
15 It could kill the union,
16 literally could. If
17 thirty-five percent of the
18 members decide they don't
19 want to join, but you have
20 to represent them all,
21 well, you just seen the
22 numbers for ten and
23 twenty.

24 So it's something you

1 the law says you have to
2 represent them. That's
3 it.

4 TREASURER VIDDIVO:
5 Thanks, Mike. Anybody
6 else? Jim? No, we're
7 good? That's all I got.
8 Thanks, guys.

9 PRESIDENT POWERS:
10 Grievance and legal.

11 VP MID-HUDSON MAZZELLA:
12 Good morning, Mike
13 Mazzella, Grievance and
14 Legal. There should be a
15 report in your packet, but
16 Grievance and Legal
17 Committee convened on June
18 28th, 2017. Two
19 grievances were heard and
20 reviewed by the committee.
21 One grievant participated
22 by telephone.

23 The grievances reviewed
24 involved issues of

1 need to pay attention to.
2 Pay attention to stuff
3 coming out of the office.
4 Tell your members when you
5 walk around the jail, just
6 like con-con, we've talked
7 about that until we're
8 blue in the face; they
9 have to vote no.

10 If they don't, your
11 pension is at risk.
12 You're going to be getting
13 a mailing here the first
14 part of next week. We
15 mail it to every member
16 and every retiree, but
17 these are real numbers.
18 That's just my case in
19 point.

20 Again, if you don't
21 like these cuts, you find
22 a place in that budget you
23 can cut money and still
24 represent the members that

1 harassment and overtime
2 distribution. As a result
3 of the meeting, the
4 committee recommended that
5 both grievances be closed.
6 Any questions? Thank you.

7 PRESIDENT POWERS: That
8 concludes committee
9 reports. We'll break for
10 lunch now and adjourn
11 until tomorrow. Do we
12 have a motion to adjourn?
13 Dave Luther, first. Dan
14 Powers from Marcy, second.

15 All signify by saying
16 aye.

17
18 (Response of "Aye".)

19
20 PRESIDENT POWERS
21 Anybody opposed?

22
23 (No Response.)
24

PRESIDENT POWERS: We will see everyone tomorrow. Safe travels.

* * * *

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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

12 SEPTEMBER 13, 2017. That the

13 MINUTES were then reduced in

14 writing under my direction.

15 I further CERTIFY that

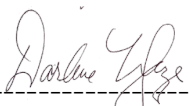
16 the above-described transcript

17 constitutes a true and accurate and

18 complete transcript of the minutes

19 taken.

20

21 

22 -----

23 DARLENE L. JERGE,
Notary Public.

24

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