

AGENDA – DIVISION 175 – COUNCIL MEETING

Find Archived Minutes at: www.pef175.org/

I. CALL TO ORDER. *12:00PM, January 29, 2015*

II. ROLL CALL: *K. Button, J. Eddy, K. Patterson, L. DeGraff, C. Jordan, J. Jobson, E. Coyne, A. Puleo*

III. READING OF PREVIOUS MINUTES:

LAST MEETING WAS: *October 30, 2014*

CORRECTIONS: *None*

MOTION to: ACCEPT: AP SECOND: KB APPROVED: All

IV. TREASURER'S REPORT – K. BUTTON:

Current Div. 175 Balance is appx. \$2766.14. These funds are accessible as half each available to on the Division Credit Cards between K. Button & A. Puleo.

V. COMMITTEE REPORTS – List of Committee Members can be found at:

<http://www.pef175.org/officers/>

1. Audit - *Due in July 2015*

2. Budget - Next budget may include change to NYSATE Golf contribution to be pro-rated based on active Division 175 attendance at an undetermined dollar amount per head. Discussed that this may prompt even more efforts at member participation, win-win.

3. Website (www.pef175.org) – *C. Jordan has rcvd. his payment for services as Division 175 web-master.*

4. Bulletin Board – *Members are encouraged to post appropriate material at will.*

5. Constitution – *Discussed that last email sent to PEF HQ by Ed Johnston regarding Division 175 Constitution has not been answered and several months has past. This fact will be brought to the attention of PEF HQ.*

6. Grievance – *Current and possible future OOT grievances discussed.*

7. Health & Safety – *Charlie Chick requests topics from the L/M Team for presentation at the March 25, 2015 SOB meeting.*

8. EAP – *A new EAP coordinator is needed due to the resignation of Cheryl bill.*

9. Social Committee –

10. Parking- *The parking list has been posted on our Divisional Website, anomalies and all.*

11. Communication: *SEE PEF HQ HOMEPAGE*

VI. Local Labor Management –The minutes of these meetings can be found at www.pef175.org/. The agenda for next years State office Building Meeting is currently under way.

VII. Statewide Labor Management – The S/W L.M team met with the Commissioner on November 13, 2014 at PEF HQ's. Following is the post meeting correspondence on that meeting;

From: Puleo, Andrew (DOT)
Sent: Wednesday, December 03, 2014 9:58 AM
To: Sechrist, Roderic A (DOT); Eng, Phillip (DOT)
Cc: Holthausen, William (DOT)
Subject: 11-13-14 Meeting with Commissioner

Dear NYSDOT Deputy Commissioners,

Re: NYSDOT Statewide Labor Management

It was good to seeing you both at our recent meeting with the Commissioner.

As we discussed, and so as to clarify the last talking point, (requisitions), presented by Angelina to the Commissioner we offer the following.

We propose that the purchasing policies implemented at NYSDOT should be applied to all parties with whom NYSDOT contracts with, such as contractors and consultants. For example, just as NYSDOT is charged with securing (3) cost estimates from vendors before purchasing equipment for Residencies and Regional Offices, so too should Contractors/Consultants also be required to operate under the same fiscal policy. In my own experiences with both a Time and Material, Safety Requirements D-Contract, and a Time & Material, Emergency Service D-Contract, contractors were not held to this Best Practice of securing (3) cost estimates before making purchases of which they would later be reimbursed by, and with, NYSDOT monies. Also, it is our understanding that D# Force Account purchases are reimbursed by the dept. without the requirement of contractors having to secure (3) cost estimates first.

We offer the following Consultant Contract Language which is sourced from attached, (page 19), as just as an (1) example of the dept's agreement to reimburse equipment costs.

G. PURCHASED EQUIPMENT

1. At the completion of the CONTRACT, as part of the final accounting, Form AD 176 is to be submitted to document the disposition of any equipment purchased as DNSC, as further described in the Agreement Article 4 Item II.

The aforementioned Article 4 Item II follows, (page 2 of attached).

ARTICLE 4. PROVISION FOR PAYMENT. The STATE shall pay to the CONSULTANT, and the CONSULTANT agrees to accept as full compensation for his services under this Agreement:

Item I Specific Hourly rates of pay shown in EXHIBIT "A" and "B" for employees assigned to this PROJECT. The Specific Hourly rates and all components of those rates are subject to audit. The number of hours charged is also subject to audit.

Item II Actual Direct Non-Salary Costs incurred in fulfilling the terms of this Agreement; all subject to audit. Such costs may include, but are not necessarily limited to those shown in EXHIBIT "B". All reimbursement for travel, meals and lodging shall be made at actual cost paid but such reimbursement shall not exceed the prevailing maximum rates established by the State Comptroller.

Items purchased under this PROJECT shall become the property of the STATE at the completion of the work, or at the option of the STATE, appropriate value shall be established as a credit to the STATE.

Item III The Maximum Amount Payable under this Agreement shall be for **\$1,500,000** as shown in Exhibit "C", unless increased by a Supplemental Agreement.

We believe this is a subject which deserves further attention by NYSDOT, and the Comptroller's Office. It would be appreciated if you could advise us as to the Commissioners thoughts on this at our next Statewide Labor Management meeting.

*Thank you,
Andrew Puleo
S/W L/M Secy
585.313.0817*

IX. Regional Coordinator – No Report

X. E-board Rep. – *E-Board minutes from August 2014 were shared w/A. Puleo. These included quarterly Field Rep. reports and updates on PEF legal actions.*

XI. Field Rep. – *The recent PEF Steward Training which was cancelled will be rescheduled by Paula Hennessy.*

XII. NASHTU – National Association of State Highway Transportation Unions

After P3 Goes Sour – Virginia Now Interested in Public Input

Virginia transportation officials released new draft guidelines that they say will increase transparency and accountability in the way the state assesses, approves and enters into public-private partnership agreements. The guidelines aim to increase the involvement of the public and legislators in the decision-making process. The

guidelines likely won't prevent Virginia from getting ripped off by future P3s, but it will at least slow down the process a bit.

The guidelines result from the fallout of the U.S. 460 P3 project, which was rammed through the approval process without legislative consultation in the final months of former Governor Bob McDonnell's administration. In that P3, the state signed an agreement with a consortium to build a tolled expressway between Petersburg and Suffolk despite repeated warnings from the U.S. Army Corps of Engineers about the environmental impacts of the proposed route. Current Governor Terry McAuliffe suspended work on the contract after discovering that the state had paid out \$250 million on the project "without getting a federal environmental permit for destroying almost 500 acres of wetlands, or turning a single shovel of dirt."

[Read the full article here.](#)

XIII. Steuben/Livingston County Labor Council – *Next SLCLC meeting is tonite at 6:30PM the CSEA Hall in Corning.*

XIV. Rochester & Genesee Valley Area Labor Federation – *No Report*

XV. Unfinished Business – *No report*

XVI. NEW BUSINESS – *PEF HQ, (Joel Leferve), has been forwarded, via mail from Local PEF Field office, our Divisions revised member list, as preparation for upcoming steward elections.*

The Division 175 general membership meeting was held on September 15, 2014 at the Hornel Elks Club.
Attendance:

Guests:	4
Div. 175 members:	24
Other Div. members:	<u>4</u>
Total:	32

The meeting was political in nature with audience being solicited for a Local Labor walk with emphasis on the fact that PEF had financially supported both local Republican, Phil Palmesano, and Democrat Martha Robinson. Regional Coordinator Bonnie Wood has denied a request by A. Puleo for Regional PAC funds to fully or partially support this meeting. Due to such denial, A. Puleo has requested PEF to assist in the fees associated with this meeting.

Payment was made by Regional Coordinator Bonnie Wood in January 2015.

XVII. OPEN FORUM – *Proceeded in confidence.*

XVIII. ADJOURNMENT

MOTION TO ADJOURN (& Pay Expenses): *A. Puleo*

Second: *K. Button*

Approved: *All*

NEXT MEETING SCHEDULED FOR: *March 26, 2015*

RESPECTFULLY SUBMITTED:

*Andrew Puleo
Council Leader/Secy
January, 30, 2015*