



Nassau County Police Department
Our Mission is to serve the people of Nassau County
and to provide safety and an improved quality of life in
our communities through excellence in policing.

Patrol Division Administrative Order

*OK
Alice*

ORDER TITLE

FILE

NUMBER

Discontinuance of PDCN Form 1

1260

99-011

REFERENCE DOCUMENTS

EFFECTIVE DATE

TERMINATION DATE

07/30/00

As of July 30, 1999 the Department Manual, including the Rules and Regulations, will have been amended to eliminate all reference to the Blotter, PDCN Form 1. Accordingly, at 0700 that date all affected Commands shall discontinue maintaining a Blotter. Minimum staffing on both tours shall be decreased by one (1).

The requirement for rings is also eliminated at the same time. Consequently, the Time Record, PDCN Form 4 will also be discontinued.

Commands shall utilize the bound book formerly PDCN Form 1 as an abbreviated Time Record (i.e. no rings) to make any necessary record of members signing on or off duty.

- ~~Impound~~
- ~~Accidents~~
- ~~Bar~~
- ~~Arrest~~
- ~~Arrest~~
- ~~[Redacted]~~
- ~~[Redacted]~~
- ~~[Redacted]~~
- ~~[Redacted]~~

Here ya

571-4000

ISSUING AUTHORITY

SIGNATURE

ISSUE DATE

PAGE

First Deputy
Chief of Patrol

07/28/99

1 of 1



POLICE DEPARTMENT
COUNTY OF NASSAU, NEW YORK

PH# 1029-99

INTERNAL CORRESPONDENCE

DATE: July 8, 1999

SNCC NO: 1160

TO: Commissioner of Police (Through Official Channels)

FROM: Chief of Patrol

SUBJECT: ELIMINATION OF BLOTTER RECORDER POSITION.

1. With reference to the impending elimination of the Blotter Recorder position, review of the Department Manual reveals changes are necessary in the Department Rules. The rules involved are:

Article 1, Rule 10, Subdivision 3
Article 1, Rule 15, Subdivision 11
Article 3, Rule 2
Article 6, Rule 20, Subdivision 5
Article 7, Rule 5, Subdivision 2
Article 7, Rule 6, Subdivision 7
Article 9, Rule 2
Article 11, Rule 3, Subdivision 1
Article 11, Rule 3, Subdivision 1a
Article 11, Rule 3, Subdivision 8
Article 14, Rule 1, Subdivision 3
Article 17, Rule 1, Subdivision 9
Article 17, Rule 3, Subdivision 3e
Article 17, Rule 12
Article 20, Rule 5
Article 21, Rule 4
Article 21, Rule 7
Appendix A and Appendix B

2. I suggest the above Sections be changed as follows:

- a. Article 1, Rule 10, Subdivision 3 - be deleted in its entirety. This section mandates that Desk Officers enter in the Blotter date and time of receipt of Departmental directives such as policies, rules, procedures, orders, etc. Verification of such receipts are currently maintained in the Precinct Clerk's Office.
- b. Article 1, Rule 15, Subdivision 11 - requires that "the presence and departure of members of the Force above the rank of Lieutenant, except administrative officers above the rank of Assistant Chief, shall be recorded in a Blotter." I recommend that the words "a Blotter" be changed to the "Time Record." The Time Record is a more appropriate document for recording such information.
- c. Article 3, Rule 2 - states that "a Desk Officer shall sign on and off duty in the Blotter." I recommend that the Blotter be changed to "Time Record." This is the location where all other members of the Command's platoon are recorded on duty.
- d. Article 6, Rule 20, Subdivision 5 - requires that valuable property removed from an impounded vehicle be recorded in the Blotter and the Impound Book. I recommend that the words "the Blotter and" be deleted from this rule. It is not necessary to record the information in two (2) separate locations.

ELIMINATION OF BLOTTER RECORDER POSITION (CONTINUED)

- e. Article 7, Rule 5, Subdivision 2 - requires a Police Surgeon when examining a member of the Department for intoxication or unfitness for duty enter his findings in the Blotter. I recommend that the Rule be changed and that the Police Surgeon be directed to report his findings to the Commissioner of Police (Through Official Channels) on internal correspondence. The word Blotter is referenced twice in this Subdivision.
- f. Article 7, Rule 6, Subdivision 7 - concerns confinement while on sick leave and notices of approval by the Police Surgeon to leave the place of confinement. It is my belief that entries in the Sick Leave Subsystem are adequate for this Department's needs. The direction regarding blotter entries should be deleted.
- g. Article 9, Rule 2 - regards Charges and Specifications, PDCN Form 210, directs that Desk Officers enter into the blotter receipt of such charges. Receipt of such charges by the member is acknowledged by the members signature on the Departmental form itself. It is my belief this is sufficient proof of service. I recommend that the words "where the case number, rank, name, and shield number of member will be entered in the Blotter by the Desk Officer" be deleted from the second paragraph of Rule 2.
- h. Article 11, Rule 3, Subdivisions 1, 1a, 1b, 1c, 1d - establishes the Blotter as an authorized record and establishes how the entries shall be made. I recommend that the Subdivision be deleted in its entirety.
- i. Article 11, Rule 3, Subdivision 8 - requires that "every Command not recording in a Blotter or Time Record, the presence for duty of members of the Force" maintain a Daily Attendance Log. I recommend that the words "Blotter or" be deleted.
- j. Article 14, Rule 1, Subdivision 3 - regards the recording of accident and aided cases in the Blotter. This Subdivision directs that the Desk Officer "cause an entry be made in the Blotter." This is not consistent with the current practice. I recommend that this Subdivision be deleted.
- k. Article 17, Rule 1, Subdivision 9 - requires the Desk Officer to release from custody any person arrested where there is not reasonable cause to believe that the arrested person committed an offense. It also requires that a Blotter entry be made regarding the date, time, and reason for release. It is my recommendation that this Subdivision be changed and that the Desk Officer instead be directed to make appropriate entries into the Swift Justice System. (Rule 1, Subdivisions 4, 5 and 7 and Rule 5, Subdivision 2 and 3a in regard to PDCN Form 33A are no longer applicable and should be reviewed by the Rules Committee).
- l. Article 17, Rule 3, Subdivision 3e - directs that a superior officer authorizing a strip search "enter into a Blotter or other command record appropriate for such recording all of the facts and the circumstances" leading to the reasonable suspicion necessary to justify the search as well as other relevant data. I recommend that the words "a Blotter" be deleted and that the words the Swift Justice System be inserted.
- m. Article 17, Rule 12 - requires the Desk Officer to record the time, rank or title, name and address of any person interviewing a prisoner. It is my recommendation that this information be recorded in the Swift Justice System and that the words "a Blotter" be deleted and the words "the Swift Justice System" be inserted.

ELIMINATION OF BLOTTER RECORDER POSITION (CONTINUED)

- n. Article 20, Rule 5 - requires an entry in the Blotter, in addition to notification to the Court Liaison Office when a member cannot respond to a subpoena due to absence with leave, sick leave or any other reason. It is my belief that notification to the Court Liaison Office is sufficient record and that the words "and make appropriate entries of same in the Blotter" be deleted.
- o. Article 21, Rule 4, Subdivision 2 - concerns the receipt of additional property obtained in connection with a case previously entered in the Blotter. It requires that a reference be made in the arrest record to the Blotter entry. It is my belief that such a record of additional property should more properly be made in the Swift Justice System. I recommend that the wording in this Subdivision be deleted in its entirety and that it be re-worded as follows:

If additional property is obtained in connection with a case which has been previously recorded an entry documenting same be made in the Swift Justice System.
- p. Article 21, Rule 7 - requires an entry in "PDCN Form 1" concerning child taken into custody for violation of certain laws. It is my recommendation that the words "PDCN Form 1" be deleted and that the words "the Swift Justice System" be inserted.
- q. Appendix A - in the Department Manual lists the authorized abbreviation for Blotter Recorder as BR. I recommend that this be deleted.
- r. Appendix B - reference to the Blotter as Form 1 should be deleted.

3. Further, in connection with this overall change in Desk operations it is my recommendation that Article 5, Rule 1, Subdivision 7 which requires Police Officers on patrol to communicate with their commands once every two (2) hours during the hours from 2300 - 0700 be dispensed with. This recommendation is made after consultation with Commanding Officers of Precincts and with the concurrence of the Chief of Operations. This will alleviate the need for maintaining a time record in its current form and will facilitate the use of the time record to maintain information regarding the presence and absence of personnel assigned on a particular tour. I further recommend that a sample time record be promulgated and have attached my proposal for the sample time record to this report.



Edward J. Doughty
Chief of Patrol

JUNE 31, 1999

0630	Lt. Ralph present call the roll of the first platoon present
	Sgt. Peter Sector A & B RMP 143
	Sgt. James Sector C & D RMP 144
	P.O. Tyler Signal Monitor
	P.O. West SP4
	P.O. Ross SP5
0700	P.O. Wilson Sector 101 - RMP 101
	P.O. Cash Sector 102 - RMP 102
	P.O. Thrice Sector 103 - RMP 103
	P.O. Trevor Sector 104 - RMP 104
	P.O. Mann Sector 105 - doubled in RMP 109
	P.O. Smithe Sector 106 - RMP 106
	P.O. Bass Sector 107 - RMP 107
	P.O. Kelly Sector 108 - RMP 108
	P.O. Wicks Sector 109 - RMP 109
	P.O. Dallo Sector 109 - RMP 109 with P.O. Mann
	P.O. Johnson Sector 110 - RMP 110
	P.O. Jones Sector 111 - RMP 111
	P.O. Smart Sector 112 - RMP 112
	P.O. Hoffman Sector 113 - RMP 113
	P.O. Black Sector 114 - RMP 114
	P.O. White Sector 115 - RMP 115
	P.O. Woodward Sector 116 - RMP 116
	P.O. Blank Sector 117 - RMP 117
	P.O. Daniels Sector 118 - RMP 118
	P.O. Alvin Sector 119 - RMP 119

PATROL DIVISION ACTIVITY - MONTHLY COMPARISON (JUN, 1999)

Precinct	Burg Res			Burg Apt			Burg Bus			Robbery			Arrests			D.W.I.			Larc Auto			Case Reports			Vice Rpt			Narc Rpt			Tickets							
	JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD		JUN	YTD
Pct #1 - 98	24	151		0	0		8	57		16	95		276	1582		48	226		28	166		926	5219		0	0		2	10		1808	10082						
Pct #1 - 99	24	216		0	0		8	50		27	102		266	1451		30	178		36	206		918	5077		0	1		2	6		1457	9114						
% (+/-)	0	43		0	-12		0	-12		68	7		-3	-8		-37	-21		28	24		-0	-2		0	-40		0	-40		-19	-9						
Pct #2 - 98	10	34		4	9		19	61		4	14		138	836		39	189		19	226		496	2817		0	0		0	4		1540	9130						
Pct #2 - 99	9	51		1	9		9	44		0	23		118	657		5	60		18	150		491	2580		0	1		0	6		1143	7959						
% (+/-)	-10	50		-75	0		-52	-27		-100	64		-14	-21		-87	-68		-5	-33		-1	-8		50	-12		0	50		-25	-12						
Pct #3 - 98	8	84		2	7		20	127		10	61		484	3096		53	304		46	329		1099	6269		1	2		2	14		1848	11464						
Pct #3 - 99	17	119		2	11		8	83		14	49		410	2092		39	237		42	256		1050	5629		0	0		0	0		1533	10071						
% (+/-)	112	41		0	57		-60	-34		40	-19		-15	-32		-26	-22		-8	-22		-4	-10		-100	-100		-100	-100		-17	-12						
Pct #4 - 98	12	75		0	0		9	57		4	32		141	701		15	98		28	177		653	3309		2	6		1	12		1995	10887						
Pct #4 - 99	8	55		0	0		3	24		11	39		87	510		9	47		11	161		561	3500		0	0		0	2		2048	10249						
% (+/-)	-33	-26		-66	-57		-66	-57		175	21		-38	-27		-40	-52		-60	-9		-14	5		-100	-83		-100	-83		2	-5						
Pct #5 - 98	9	150		0	0		16	56		12	63		226	1697		53	302		45	300		866	4857		0	0		0	2		1666	9786						
Pct #5 - 99	19	109		0	0		17	78		22	67		201	1255		44	243		40	244		972	4938		1	4		1	3		1355	8264						
% (+/-)	111	-27		-33	0		-75	-58		83	6		-11	-26		-16	-19		-11	-18		12	1		50	-15		50	-15		-18	-15						
Pct #6 - 98	5	37		3	6		8	65		2	19		109	707		4	82		16	135		403	2319		0	0		0	0		1155	7822						
Pct #6 - 99	8	39		2	6		2	27		5	18		82	491		13	69		14	91		397	2204		0	0		0	1		1343	8455						
% (+/-)	60	5		-33	0		-75	-58		150	-5		-24	-30		225	-15		-12	-32		-1	-4		5	-16		-16	-16		16	8						
Pct #7 - 98	17	69		0	0		9	45		3	19		166	903		39	252		12	115		561	3115		0	0		0	6		1544	10239						
Pct #7 - 99	10	48		0	0		7	50		3	23		117	660		17	120		17	109		587	3179		0	1		1	5		1554	10186						
% (+/-)	-41	-30		-22	11		-22	11		0	21		-29	-26		-56	-52		41	-5		4	2		0	-16		0	-16		0	-0						
Pct #8 - 98	19	155		0	12		25	56		0	18		152	897		41	309		23	132		565	3287		0	1		0	1		1240	7370						
Pct #8 - 99	22	115		3	12		4	32		2	19		119	731		32	233		24	134		571	3267		1	2		0	1		1100	7107						
% (+/-)	15	-25		-84	-42		-84	-42		5	5		-21	-18		-21	-24		4	1		1	-0		100	0		0	-11		-3	-3						
HPB - 98	0	0		0	0		0	0		0	0		0	0		72	441		0	0		0	0		0	0		0	0		4382	26139						
HPB - 99	0	0		0	0		0	0		0	0		0	0		59	300		0	0		0	0		0	0		0	0		5566	29393						
% (+/-)																-18	-31														27	12						
Total - 98	104	755		9	34		114	524		51	321		1692	10419		364	2203		217	1580		5569	31192		3	9		5	49		17178	102919						
Total - 99	117	752		8	38		58	388		84	340		1400	7847		248	1487		202	1351		5547	30374		2	9		4	24		17099	100798						
% (+/-)	12	-0		-11	11		-49	-25		64	5		-17	-24		-31	-32		-6	-14		-0	-2		-33	0		-20	-51		-0	-2						



**POLICE BENEVOLENT ASSOCIATION
POLICE DEPARTMENT, COUNTY OF NASSAU, N.Y.**

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BRANDENSTEIN & RADA, ESQS.

August 9, 1999

To : Donald F. Kane Commissioner of Police
From: P.O. Allen Unterweiser 2nd Vice President N.C.P.B.A.
Subject : Step 3 Grievance - Minimum Staffing

I am submitting a grievance at Step 3 as the Initial step, on behalf of the Nassau County PBA, in accordance with Section 5.2-4. This grievance concerns a violation of the minimum staffing levels agreement and the Steady Tour Agreement minimum staffing provisions.

Patrol Division Administrative Order 99-011, issue date July 28, 1999, effective date July 30, 1999 is attached. The last sentence of the first paragraph of this order states: " Minimum staffing on both tours shall be decreased by one (1) ." The minimum staffing provisions that had been in effect for many years was modified as part of the steady tour agreement which became permanent as part of the August 27, 1997 Interest Arbitration Award. The decrease in minimum staffing stated in Patrol Division Order 99-011 violates the minimum staffing provisions.

If you have any questions do not hesitate to contact me.

Allen Unterweiser
2nd Vice President

AMENDED

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

IMPROPER PRACTICE CHARGE

INSTRUCTIONS: File an original and four (4) copies of this charge with the Director of Public Employment Practices and Representation, New York State Public Employment Relations Board, 80 Wolf Road, Albany, NY 12205-2604. If more space is required for any item, attach additional sheets, numbering item accordingly.

DO NOT WRITE IN THIS SPACE

Case No. U-21125

Date Received:

1. **CHARGING PARTY**

- a. Name (If employee organization, give full name, including affiliation and local name and number): Police Benevolent Association, Police Department, County of Nassau, New York, Inc.
- b. Address (No. & Street, City and Zip Code, County): 89 E. Jericho Turnpike, Mineola, New York 11501 Telephone Number: (516) 294-6230
- c. Name and title of the representative filing charge: Gary DelaRaba, President
- d. Name, address and telephone number of attorney or other representative, if any, to whom correspondence is to be directed: Harry Greenberg, Esq. Solomon Richman Greenberg, P.C. 3000 Marcus Avenue, Lake Success, NY 11042 516-437-6443

2. **PUBLIC EMPLOYER AND/OR EMPLOYEE ORGANIZATION AGAINST WHICH CHARGE IS BROUGHT**

- a. Name and Address (No. & Street, City and Zip Code, County): Police Dept., County of Nassau 1490 Franklin Avenue, Mineola, NY 11052 Attn. Chief Robert Bishop County of Nassau, Office of Labor Relations, 1550 Franklin Ave., Mineola NY 11502 Attn: Dir. Philip Minicozzi
- b. Telephone Number: (516) 573-7100 Chief John Costello (516) 571-3930

3. Is the charging party filing an application for injunctive relief pursuant to §204.15 of the Board's Rules of Procedure?
 YES X NO

VIOLATIONS ALLEGED

4. Pursuant to Article 14 of the Civil Service Law, as amended (Public Employees' Fair Employment Act), the charging party hereby alleges that the above-named respondent(s) has (have) engaged in or is (are) engaging in an improper practice within the meaning of the following subsections of Section 209-a of said Act (check the subsection(s) allegedly violated):

If by a public employer

If by an employee organization

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> 209-a.1(a) | <input type="checkbox"/> 209-a.2(a) |
| <input type="checkbox"/> 209-a.1(b) | <input type="checkbox"/> 209-a.2(b) |
| <input type="checkbox"/> 209-a.1(c) | <input type="checkbox"/> 209-a.2(c) * |
| <input checked="" type="checkbox"/> 209-a.1(d) | |
| <input type="checkbox"/> 209-a.1(e) | |

- * If the charge alleges a violation of Section 209-a.2(c) of the Act based on an employee organization's processing of or failure to process a claim that a public employer has breached its agreement with such employee organization, identify the public employer:

- a. Name and address (No. & Street, City and Zip Code, County):
- b. Telephone Number:

Details of Charge:

1. On or about July 28, 1999, the Nassau County Police Department issued Patrol Division Administrative Order 99-011(hereinafter "Admin. Order 99-011") which was effective July 30, 1999, attached as Exhibit 1.

2. In pertinent part Admin. Order 99-011 discontinues, for all affected commands, the maintaining of the Blotter and Time Record.

3. The Blotter was the record in which receipt of Police Department directives, rules, orders, etc. are recorded, was the place in which the presence of members of the force above the rank of lieutenant are recorded, was where desk officers signed on and off duty, and was where valuable property, kept in the custody of the Police Department, was recorded. See, Exhibit 2 Internal Correspondence dated July 8, 1999, attached. The maintenance of the Blotter and Time Record were the exclusive duties of police officers. Prior to July 30, 1999 one police officer was assigned to a post in each of the eight precincts to maintain the Blotter and Time Record.

4. Prior to July 30, 1999, four (4) police officers were assigned to posts inside the station house 24 hours each day except between the hours of 0500 hours (5 AM) to 0700 hours (7 AM) when three (3) police officers are assigned to posts inside the station house.

5. The four posts indicated in paragraph 4 above are the Blotter Recorder, the Signal Monitor, and two posts referred to as "SP4" and "SP5" (posts in the "32 Room") which duties are clerical and administrative in nature. At 0500 hours one of the 32 Room posts is relieved and not staffed again until 0700 hours.

6. The last sentence of the first paragraph of Admin. Order 99-011 indicates

"Minimum Staffing on both tours shall be decreased by one (1)."

7. Initially, minimum staffing was implemented in 1983, in pertinent part, for safety reasons and has been and continues to be in effect.

8. In general minimum staffing requires a minimum number of police officers to be on patrol which number varies by command and by time of day.

9. The minimum staffing agreement was modified and placed in writing as part of the "Steady Tour Agreement".

10. The August 27, 1997 Interest Arbitration Award made permanent and part of the Collective Bargaining Agreement the "Steady Tour Agreement" which includes the minimum staffing Agreement.

11. As a result of Admin. Order 99-011 the post of the police officers who maintained the Blotter and Time Record was eliminated. (See August 1999 1st Precinct Commanding Officers message in "The Fighting First Chronicles", Elimination of SP3, (hereinafter "1st Precinct C.O.s Message"), attached as Exhibit 3.

12. In relevant part the 1st Pct., C.O.s Message provides: "The Blotter..... and the Time Record have been eliminated.... and a new book (actually the former Blotter), called the Time Record, has now taken their place. This new book will be maintained by the Signal Monitor and reviewed by the Desk Officer."

13. Prior to the unilateral elimination of the Blotter and Time Records the maintenance of these records were the exclusive duties of a police officer assigned to the post which was eliminated by Admin. Order 99-011.

14. The posts inside the station house are not part of the aforementioned "Steady Tour Agreement."

15. As a result of Admin. Order 99-011, the number of police officers assigned within the station house was reduced from four to three between 0700 hours through 0500 hours and from three to two police officers between the hours of 0500 hours through 0700 hours. A reduction of police staffing in the station house(s) has a negative impact on the safety of the police in the station house(s).

16. On numerous occasions since July 30, 1999, for portions of a tour of duty, because of administrative and/or operational needs, police officers on patrol were reassigned to station house duties and responsibilities.

17. The reduction of police officers on patrol creates safety issues.

18. In addition, since July 30, 1999, when police officers assigned to patrol posts are not taken off patrol, the workload required of the remaining police officers assigned to the station house posts has substantially increased in that the nature and level of services of the additional duties, of the Blotter and Time Records, are added to their current station house duties and responsibilities.

19. The assignment of police personnel to station house posts, in relevant part, ensures the health and safety of police employees and other persons while in the station house and secures police equipment and property and other property seized for various reasons by the police.

20. The Nassau County Police Department maintains patrol posts and the station house posts as full time positions. The addition of the Blotter and Time Record duties to these posts, which have already been designated full time positions, substantially increases the workload of the patrol and the other remaining station house posts.

21. The reduction of patrol strength when a police officer is reassigned from patrol

duties and responsibilities to station house post(s) raise safety concerns that are a mandatory subject.

22. Upon information and belief on or about August 2, 1999, P.O. Allen Unterweiser, PBA, 2nd Vice President, called A.C. John Costello, a labor relations liaison for the Nassau County Police Department, and demanded that there is, at a minimum, three station house posts staffed at all times. A. C. Costello indicated he would look into the matter and get back to P. O. Unterweiser.

23. On or about September 30, 1999, P.O. Allen Unterweiser called A.C. Bishop, also a labor relations liaison for the Nassau County Police Department, and repeated the discussion he had with A. C. Costello on August 2, 1999 and demanded to negotiate safety concerns. A.C. Bishop said he would review the matter and get back to P.O. Unterweiser.

24. On or about October 7, 1999, at a PBA Board of Governors meeting, Chief of Patrol Edward Doughty refused to restore the position eliminated by Admin. Order 99-011 or to maintain the staffing level of a minimum of four station house posts until 0500 hours and between 0500 hours to 0700 hours to maintain a minimum of three station house posts.

25. On or about October 14, 1999, a letter was sent to the Nassau County Office of Labor Relations, via fax transmission, demanding to negotiate the aforementioned safety concerns, workload and the impact of the elimination of one station house post. (Exhibit 4).

26. The County responded to the October 14, 1999, by letter dated November 9, 1999, attached as Exhibit 5. The aforementioned facts and the information in the November 9, 1999 are in dispute.

27. Employee workload is a term and condition of employment and a mandatory subject. Yorktown, 7 PERB 3030; Onodaga, 11 PERB 3045. See also New Rochelle Housing Authority, 21 PERB 3054; Edgemont, 21 PERB 3067.

28. Safety as a general subject is a mandatory subject. A demand to establish a joint labor and management safety committee is mandatory. White Plains, 9 PERB 3007 and 11 PERB 3089; New Rochelle, 10 PERB 3078, aff'd, 11 PERB 7002 (61 A.D.2d 1031); Newburgh, 10 PERB 3001, 11 PERB 3087; Troy, 10 PERB 3105; Mount Vernon, 11 PERB 3049; Albany, 7 PERB 3078; Niagara Falls, 9 PERB 3025; Johnson City, 9 PERB 3042.

29. The first at issue conduct results from the reduction of police personnel in the station house(s) which has a negative impact on the health and safety of police personnel. The County's failure to negotiate safety issues resulting from the decision to reduce police personnel in the station house(s) and the impact of such decision violates Article 14 of the Civil Service Law.

30. The other at issue conduct is the adding of the duties and responsibilities of the Blotter and Time Record, which was a full time position, to other full time positions results in a substantial increase in work load which must be negotiated. The impact of the increase in work load must also be negotiated.

WHEREFORE, it is requested that the respondents be declared to have violated CSL 209a 1 (d) and ordered to:

- A. cease and desist from the elimination of the Blotter/Time Record post.
- B. negotiate mandatory subjects such as wages, benefits, and a safety labor-management committee resulting from the change in the duties and responsibilities in the aforementioned posts.

C. negotiate the impact of the elimination of the station house post.

D. such further action as PERB deems appropriate.

F:\OFFICE\WPWIN\FILES\NCPBA\DETAILS.1


Nassau County Police Department

Our Mission is to serve the people of Nassau County and to provide safety and an improved quality of life in our communities through excellence in policing.

Patrol Division Administrative Order

ORDER TITLE	FILE	NUMBER
Discontinuance of PDCN Form 1	1260	99-011
REFERENCE DOCUMENTS	EFFECTIVE DATE	TERMINATION DATE
	07/30/99	

As of July 30, 1999 the Department Manual, including the Rules and Regulations, will have been amended to eliminate all reference to the Blotter, PDCN Form 1. Accordingly, at 0700 that date all affected Commands shall discontinue maintaining a Blotter. Minimum staffing on both tours shall be decreased by one (1).

The requirement for rings is also eliminated at the same time. Consequently, the Time Record, PDCN Form 4 will also be discontinued.

Commands shall utilize the bound book formerly PDCN Form 1 as an abbreviated Time Record (i.e. no rings) to make any necessary record of members signing on or off duty.

ISSUING AUTHORITY	SIGNATURE	ISSUE DATE	PAGE
First Deputy Chief of Patrol		07/28/99	1 of 1



POLICE DEPARTMENT
COUNTY OF NASSAU, NEW YORK

PH# 1029-99

INTERNAL CORRESPONDENCE

DATE: July 8, 1999

SNCC NO: 1160

TO: Commissioner of Police (Through Official Channels)

FROM: Chief of Patrol

SUBJECT: ELIMINATION OF BLOTTER RECORDER POSITION.

1. With reference to the impending elimination of the Blotter Recorder position, review of the Department Manual reveals changes are necessary in the Department Rules. The rules involved are:

Article 1, Rule 10, Subdivision 3
Article 1, Rule 15, Subdivision 11
Article 3, Rule 2
Article 6, Rule 20, Subdivision 5
Article 7, Rule 5, Subdivision 2
Article 7, Rule 6, Subdivision 7
Article 9, Rule 2
Article 11, Rule 3, Subdivision 1
Article 11, Rule 3, Subdivision 1a
Article 11, Rule 3, Subdivision 8
Article 14, Rule 1, Subdivision 3
Article 17, Rule 1, Subdivision 9
Article 17, Rule 3, Subdivision 3e
Article 17, Rule 12
Article 20, Rule 5
Article 21, Rule 4
Article 21, Rule 7
Appendix A and Appendix B

2. I suggest the above Sections be changed as follows:

- a. Article 1, Rule 10, Subdivision 3 - be deleted in its entirety. This section mandates that Desk Officers enter in the Blotter date and time of receipt of Departmental directives such as policies, rules, procedures, orders, etc. Verification of such receipts are currently maintained in the Precinct Clerk's Office.
- b. Article 1, Rule 15, Subdivision 11 - requires that "the presence and departure of members of the Force above the rank of Lieutenant, except administrative officers above the rank of Assistant Chief, shall be recorded in a Blotter." I recommend that the words "a Blotter" be changed to the "Time Record." The Time Record is a more appropriate document for recording such information.
- c. Article 3, Rule 2 - states that "a Desk Officer shall sign on and off duty in the Blotter." I recommend that the Blotter be changed to "Time Record." This is the location where all other members of the Command's platoon are recorded on duty.
- d. Article 6, Rule 20, Subdivision 5 - requires that valuable property removed from an impounded vehicle be recorded in the Blotter and the Impound Book. I recommend that the words "the Blotter and" be deleted from this rule. It is not necessary to record the information in two (2) separate locations.

ELIMINATION OF BLOTTER RECORDER POSITION (CONTINUED)

- e. Article 7, Rule 5, Subdivision 2 - requires a Police Surgeon when examining a member of the Department for intoxication or unfitness for duty enter his findings in the Blotter. I recommend that the Rule be changed and that the Police Surgeon be directed to report his findings to the Commissioner of Police (Through Official Channels) on internal correspondence. The word Blotter is referenced twice in this Subdivision.
- f. Article 7, Rule 6, Subdivision 7 - concerns confinement while on sick leave and notices of approval by the Police Surgeon to leave the place of confinement. It is my belief that entries in the Sick Leave Subsystem are adequate for this Department's needs. The direction regarding blotter entries should be deleted.
- g. Article 9, Rule 2 - regards Charges and Specifications, PDCN Form 210, directs that Desk Officers enter into the blotter receipt of such charges. Receipt of such charges by the member is acknowledged by the members signature on the Departmental form itself. It is my belief this is sufficient proof of service. I recommend that the words "where the case number, rank, name, and shield number of member will be entered in the Blotter by the Desk Officer" be deleted from the second paragraph of Rule 2.
- h. Article 11, Rule 3, Subdivisions 1, 1a, 1b, 1c, 1d - establishes the Blotter as an authorized record and establishes how the entries shall be made. I recommend that the Subdivision be deleted in its entirety.
- i. Article 11, Rule 3, Subdivision 8 - requires that "every Command not recording in a Blotter or Time Record, the presence for duty of members of the Force" maintain a Daily Attendance Log. I recommend that the words "Blotter or" be deleted.
- j. Article 14, Rule 1, Subdivision 3 - regards the recording of accident and aided cases in the Blotter. This Subdivision directs that the Desk Officer "cause an entry be made in the Blotter." This is not consistent with the current practice. I recommend that this Subdivision be deleted.
- k. Article 17, Rule 1, Subdivision 9 - requires the Desk Officer to release from custody any person arrested where there is not reasonable cause to believe that the arrested person committed an offense. It also requires that a Blotter entry be made regarding the date, time, and reason for release. It is my recommendation that this Subdivision be changed and that the Desk Officer instead be directed to make appropriate entries into the Swift Justice System. (Rule 1, Subdivisions 4, 5 and 7 and Rule 5, Subdivision 2 and 3a in regard to PDCN Form 33A are no longer applicable and should be reviewed by the Rules Committee).
- l. Article 17, Rule 3, Subdivision 3e - directs that a superior officer authorizing a strip search "enter into a Blotter or other command record appropriate for such recording all of the facts and the circumstances" leading to the reasonable suspicion necessary to justify the search as well as other relevant data. I recommend that the words "a Blotter" be deleted and that the words the Swift Justice System be inserted.
- m. Article 17, Rule 12 - requires the Desk Officer to record the time, rank or title, name and address of any person interviewing a prisoner. It is my recommendation that this information be recorded in the Swift Justice System and that the words "a Blotter" be deleted and the words "the Swift Justice System" be inserted.

ELIMINATION OF BLOTTER RECORDER POSITION (CONTINUED)

- n. Article 20, Rule 5 - requires an entry in the Blotter, in addition to notification to the Court Liaison Office when a member cannot respond to a subpoena due to absence with leave, sick leave or any other reason. It is my belief that notification to the Court Liaison Office is sufficient record and that the words "and make appropriate entries of same in the Blotter" be deleted.
- o. Article 21, Rule 4, Subdivision 2 - concerns the receipt of additional property obtained in connection with a case previously entered in the Blotter. It requires that a reference be made in the arrest record to the Blotter entry. It is my belief that such a record of additional property should more properly be made in the Swift Justice System. I recommend that the wording in this Subdivision be deleted in its entirety and that it be re-worded as follows:

If additional property is obtained in connection with a case which has been previously recorded an entry documenting same be made in the Swift Justice System.
- p. Article 21, Rule 7 - requires an entry in "PDCN Form 1" concerning child taken into custody for violation of certain laws. It is my recommendation that the words "PDCN Form 1" be deleted and that the words "the Swift Justice System" be inserted.
- q. Appendix A - in the Department Manual lists the authorized abbreviation for Blotter Recorder as BR. I recommend that this be deleted.
- r. Appendix B - reference to the Blotter as Form 1 should be deleted.

3. Further, in connection with this overall change in Desk operations it is my recommendation that Article 5, Rule 1, Subdivision 7 which requires Police Officers on patrol to communicate with their commands once every two (2) hours during the hours from 2300 - 0700 be dispensed with. This recommendation is made after consultation with Commanding Officers of Precincts and with the concurrence of the Chief of Operations. This will alleviate the need for maintaining a time record in its current form and will facilitate the use of the time record to maintain information regarding the presence and absence of personnel assigned on a particular tour. I further recommend that a sample time record be promulgated and have attached my proposal for the sample time record to this report.



Edward J. Doughty
Chief of Patrol

JUNE 31, 1999

0630	Lt. Ralph present call the roll of the first platoon present
	Sgt. Peter Sector A & B RMP 143
	Sgt. James Sector C & D RMP 144
	P.O. Tyler Signal Monitor
	P.O. West SP4
	P.O. Ross SP5
0700	P.O. Wilson Sector 101 - RMP 101
	P.O. Cash Sector 102 - RMP 102
	P.O. Thrice Sector 103 - RMP 103
	P.O. Trevor Sector 104 - RMP 104
	P.O. Mann Sector 105 - doubled in RMP 109
	P.O. Smithe Sector 106 - RMP 106
	P.O. Bass Sector 107 - RMP 107
	P.O. Kelly Sector 108 - RMP 108
	P.O. Wicks Sector 109 - RMP 109
	P.O. Dallo Sector 109 - RMP 109 with P.O. Mann
	P.O. Johnson Sector 110 - RMP 110
	P.O. Jones Sector 111 - RMP 111
	P.O. Smart Sector 112 - RMP 112
	P.O. Hoffman Sector 113 - RMP 113
	P.O. Black Sector 114 - RMP 114
	P.O. White Sector 115 - RMP 115
	P.O. Woodward Sector 116 - RMP 116
	P.O. Blank Sector 117 - RMP 117
	P.O. Daniels Sector 118 - RMP 118
	P.O. Alvin Sector 119 - RMP 119

The Fighting First Chronicles

TO SERVE THE PEOPLE OF NASSAU COUNTY AND TO PROVIDE SAFETY AND IMPROVED QUALITY OF LIFE IN OUR COMMUNITIES THROUGH EXCELLENCE IN POLICING

COMMANDING OFFICER'S

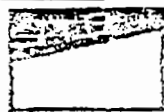


MESSAGE AUG. -99

I'd like to share several things with you this month.

Sign Removals

Lets ensure conformity to the laws relating to the posting of signs on public property before they proliferate in greater numbers. Any signs that are inaccessible or involve repeat offenders should be referred to the POP Unit, through my office.



Elimination of SP3

With the growth of computerization and in a move towards greater efficiency, the Blotter, PDCN Form 1, and the Time Record, PDCN Form 4, have been eliminated, along with the necessity to make "rings," and a new book (actually the former Blotter), called the Time Record, has now taken their place. This

new book will be maintained by the Signal Monitor and reviewed by the Desk Officer.

The final format of this book is an evolving process, as is the utility of working with one less person on the desk, and as such will be subject to modification based on your input and administrative review.

Operational Issues

Field Interviews - All FI's are now reviewed and secure signed by the Desk Officer. Please note that if the FI involves a complainant and/or needs follow-up, assess the facts and circumstances as to whether it should be made into a case report.

PWP Sheets - The Service Area Supervisor, when submitting a due PWP Response or Enforcement

Report must put a recommendation on the rear of the form as to its termination, continuation, or amendment. Your input as the post cop is integral to that process. Make sure, as the due date approaches, that the responsible supervisor is given your views.

Telephone Companies - Due to the large number of

communications companies it is essential that you get the name of the phone carrier when taking aggravated harassment reports.

Legibility - All your reports must be readable; use care especially in preparing MV 104a's, PDCN Form 32b's and DCJS 3221's.

Crime Watch

There has been an upsurge in incidents of robbery over the last two weeks, County-wide. Check the latest pattern sheets and composites and "be careful out there."



Thanks to Our FTOs

I want to thank those members of the command who participated in the FTO program for the last recruit class. The role of the FTO is vital to the process of turning new hires into Nassau County police officers. Their volunteering to take on this responsibility and the extra burden that it entails, bespeaks well of our FTOs' dedication to duty. Their efforts are much appreciated by the Police Department and, most assuredly, by myself.

Summons Reports

Summons inventories and audits are now being done through the *Swift Justice System*. You are reminded that you alone are responsible for the summonses signed out to you - the ones you have issued to violators, as well as those that remain unissued. You **should not** be loaning tickets or sharing ticket books unless there are exigent circumstances. On those occasions an entry is to be made in your memobook detailing the summonses loaned, to whom, and the reason why it was necessary to do so.

MDT Transmissions

Remember that the MDT IS NOT for private conversations. It is to be used for official business only or face the consequences!!!



Traffic Control

~~When assigned to a traffic detail, or at the scene of an auto accident, or at any scene where traffic becomes a problem, your mission is to expedite the flow of traffic and not to rely on the motorists "figuring it out" on their own. You are expected to *physically* direct the traffic and mitigate the condition.~~

Memobooks

I don't get to see as many of your memobooks as I should (but I will), however, the samplings I do get to peruse leave something to be desired. Please ensure that your memobook is informational and properly filled out in a timely fashion. We will be doing some in-house training in this regard shortly.

Professionalism

The need for us to act professionally is obvious and self-evident. The thinking that enables you to take "proper" police action is an amalgam of law, our rules and procedures, police experience, street sense and a large dose of common sense. To do less than your best, or to allow others around you to do less than theirs, violates your duty as an officer, and can put you in administrative, civil and criminal peril. This is a

~~great job in a great Department...so just do your job don't jeopardize it.~~

Enrichment Patrols

With the elimination of SP3 and our new probationary officers now in the field, we may have occasions where we have extra bodies on the roll call. I have tasked your supervisors with taking advantage of these opportunities to put officers on directed VTL, DWI, or

intensive patrols. Don't wait for your supervisor to come to you: check your *PWP* sheets and *Car Logs* to see where the needs are and let your supervisor know that you'd like a chance to stop chasing 911 and do some post business.

The Police Reserve

Many of you may be unaware of this organization. It is a group of successful business people whose aim is to foster community support for the police and to assist members of law enforcement in the County in a variety of ways. Just recently I attended their awards night where they gave out over \$25,000 in scholarships to the children of police officers in Nassau County. These generous souls are truly part of our extended police family and are deserving of our thanks.

precinct Picnic

Just a reminder, the picnic is Sunday, August 8th. It's not only a good time, but given how the media often portrays us, here is an opportunity for you to have your kids see police officers in a positive atmosphere. I hope to see you there.

Tony Accio



LAW OFFICES
SOLOMON RICHMAN GREENBERG P.C.

SIDNEY N. SOLOMON
THEODORE C. RICHMAN
HARRY GREENBERG
FREDRICK J. RICHMAN
ROBERT J. BURZICHELLI^A
HARRIS D. KANTOR

3000 MARCUS AVENUE
LAKE SUCCESS, NEW YORK 11042
(516) 437-6443
TELECOPIER (516) 437-6434

SUZANNE DARROW-KLEINHAUS

^AALSO ADMITTED IN NEW JERSEY

October 14, 1999

Philip Minicozzi
Acting Director
Office of Labor Relations
County of Nassau
1550 Franklin Avenue
Mineola, New York 11501

Re: Demand to Negotiate Safety Impact
Blotter and Time Record Duties.

Dear Mr. Minicozzi:

On or about July 28, 1999 the Police Department issued Patrol Division Administrative Order 99-011, attached, which discontinues the requirement to maintain the Blotter and Time Record. The duties of maintaining the Blotter and Time Record were the sole and exclusive duties of a police officer assigned to post "SP-3." Police officers assigned to posts such as the Signal Monitor or a patrol post are required to add the duties of maintaining the information that was placed in the Blotter and Time Record in addition to their other assigned duties.

The reduction of police officers on patrol results in safety issue(s). The additional work of maintaining the Blotter and Time Record information, which required a separate post to perform these duties until July 30, 1999, adds substantial work to be performed during a tour of duty for the police officer assigned these duties in addition to his/her regularly assigned duties.

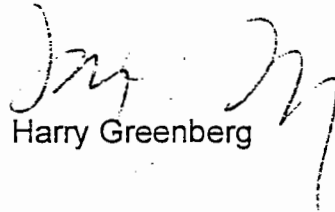
Please consider this letter a demand to negotiate the safety and work load issues on behalf of the Nassau County PBA.

Philip Minicozzi
October 14, 1999
Page 2

If a response to this letter is not received by closed of business Monday, October 18, 1999 such failure to respond will be considered a refusal to bargain.

I await your reply.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Harry Greenberg", with a long, sweeping flourish extending downwards and to the right.

Harry Greenberg

cc: Gary DelaRaba
Ken Long
Al Unterweiser
Chief Robert Bishop
Chief John Costello

Case No. U-21125

Year 19

STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

THE COUNTY OF NASSAU,

Charging Party,

-against-

THE COUNTY OF NASSAU COUNTY
POLICE BENEVOLENT ASSOCIATION,

Respondent.

AMENDED IMPROPER PRACTICE

SOLOMON RICHMAN GREENBERG P.C.

**Attorneys for Respondent
Office and Post Office Address**

3000 Marcus Avenue
Lake Success, New York 11042
Telephone (516) 437-6443

To:

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

.....

JF#1

LAW OFFICES
SOLOMON RICHMAN GREENBERG P.C.

SIDNEY N. SOLOMON
THEODORE C. RICHMAN
HARRY GREENBERG
FREDRICK J. RICHMAN
ROBERT J. BURZICHELLI^A
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3000 MARCUS AVENUE
LAKE SUCCESS, NEW YORK 11042
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SUZANNE DARROW-KLEINHAUS
^AALSO ADMITTED IN NEW JERSEY

October 14, 1999

Philip Minicozzi
Acting Director
Office of Labor Relations
County of Nassau
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The reduction of police officers on patrol results in safety issue(s). The additional work of maintaining the Blotter and Time Record information, which required a separate post to perform these duties until July 30, 1999, adds substantial work to be performed during a tour of duty for the police officer assigned these duties in addition to his/her regularly assigned duties.

Please consider this letter a demand to negotiate the safety and work load issues on behalf of the Nassau County PBA.

Philip Minicozzi
October 14, 1999
Page 2

If a response to this letter is not received by closed of business Monday, October 18, 1999 such failure to respond will be considered a refusal to bargain.

I await your reply.

Very truly yours,



Harry Greenberg

cc: Gary DelaRaba
Ken Long
Al Unterweiser
Chief Robert Bishop
Chief John Costello



STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD

55 HANSON PLACE, SUITE 700
BROOKLYN, NEW YORK 11217
TEL: (718) 722-4545
FAX: (718) 722-4550

1000-99E

MICHAEL R. CUEVAS
CHAIRMAN

PHILIP L. MAIER
REGIONAL DIRECTOR

October 5, 2000

Harry Greenberg, Esq.
Solomon, Richman, Greenberg, P.C.
3000 Marcus Avenue
Lake Success, NY 11042

Kenneth Gray, Esq.
Bee Eisman & Ready
170 Old Country Road
Mineola, NY 11501

Re: Case No. U-21125 - County of Nassau and Police Department

Dear Sirs:

Please be advised that a hearing in the captioned matter is scheduled for **November 20, 2000 at 10:00 a.m. at PERB's Brooklyn Office** before Administrative Law Judge Angela M. Blassman. Please contact the assigned Administrative Law Judge upon receipt of this letter if you are unavailable on that date.

As processed by the Director, the charge is limited to the allegation that the County failed to negotiate as requested in the October 14, 1999 correspondence.

Failure to appear at the hearing may constitute ground for dismissal of the absent party's pleading. Any request for an adjournment must be made reasonably in advance, in writing, indicating the basis therefor and the position of each party thereon.

Very truly yours,


Philip L. Maier

cc: Supreme Court Reporting, Inc.

PLM/sp



**STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD**

55 HANSON PLACE, SUITE 700
BROOKLYN, NEW YORK 11217
TEL: (718) 722-4545
FAX: (718) 722-4550

MICHAEL R. CUEVAS
CHAIRMAN

PHILIP L. MAIER
REGIONAL DIRECTOR

BY FAX and REGULAR MAIL

May 13, 2002

Harry Greenberg, Esq.
Solomon Richman & Greenberg, P.C.
3000 Marcus Avenue
Lake Success, NY 11042

Terrence M. O'Neil, Esq.
Rains & Pogrebin, P.C.
210 Old Country Road
Mineola, NY 11501

Re: Case Nos. U-21423; U-21762; U-22681; U-22596 - Nassau County and Police Dep't

Dear Sirs:

Based upon the representations set forth in Mr. O'Neil's letters of May 10, 2002, the hearings in the above matters are adjourned. Please contact me to reschedule these matters for hearing.

Very truly yours,


Philip L. Maier

PLM/sp

BEE, EISMAN & READY

ATTORNEYS AT LAW
170 OLD COUNTRY ROAD
MINEOLA, N.Y. 11501
(516) 746-5599
FAX (516) 746-1045

PETER A. BEE*
STEVEN J. EISMAN
RICHARD P. READY

HOWARD B. COHEN
SAMUEL J. FERRARA†
PETER M. FISHBEIN
PHILIP J. LAVENDER
ALBERT L. MANDATO
ANTHONY B. BAKER
MICHAEL M. BURKART
ANZELMO GRAZIOSI‡
KENNETH A. GRAY

OF COUNSEL
MICHAEL A. L. BALBONI
BARBARA K. GABA
ROBERT CONNOLLY

November 9, 1999

ALSO ADMITTED IN

*FLA. AND †MASS. AND ‡N.J.

Harry Greenberg, Esq.
Soloman, Richman & Greenberg, P.C.
3000 Marcus Avenue
Lake Success, N.Y. 11042

Re: Demand to Negotiate Safety Impact Blotter and Time Record Duties

Dear Mr. Greenberg:

On or about October 16th, 1999, this law firm was forwarded the attached letter generated by you to Mr. Minicozzi. In researching the surrounding history of this issue, it is our understanding that your facts may be incorrect.

We placed a telephone call to Chief Robert Bishop of the Nassau County Police Department. It can be noted that your letter was also copied to him by yourself. Mr. Bishop gave us an extensive history of the Safety Impact Blotter at issue, as well as the duties of the Time Record Keeper. As he explained it, these are in fact two separate duties. The duty of the Time Record Keeper has not been altered in any way, nor have the responsibilities of said duty been delegated to anyone else.

It also appears that you have been given different information than is being given to us with respect to the Safety Impact Blotter. The Safety Impact Blotter is a large book in the police station house that consists of all calls and complaints made to the station house, records of police activity in their respective shifts, and sometimes, records of police personnel who work overtime, etc., etc. The task of maintaining the Safety Impact Blotter was given to one officer on each different tour of duty. This officer would manually enter all of the previously mentioned data into the Blotter by writing it in by hand.

Given the technology of today this practice became very arcane, and a waste of resources. It was found that these recordings and documentation could be accomplished via a completely self

Harry Greenberg, Esq.
Soloman, Richman & Greenberg, P.C.
November 9, 1999
Page 2

sufficient computer, utilizing advanced recording technology. Thus, the position of the Safety Impact Blotter recorder was eliminated due to lack of necessity. The responsibility of the recording was not placed upon any officer, but is now completely handled by computer. As we understand it, no new positions or responsibilities were placed upon any officers as a result of the removal of the Safety Impact Blotter. The sole result of this action was the removal of the position of the recorder assigned to the Blotter.

Given these facts, there is no evidence of any action on the part of the Police Department that would warrant a bargaining for a term or condition of employment.

Very truly yours,

BEE, EISMAN & READY

By:


Peter A. Bee

PAB:bk

F:\Docs\Employee Directoria\Bery\LR to Greenberg

**STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD**

**In the Matter of
Police Benevolent Association, Police Department,
County of Nassau, New York, Inc.,**

-against- Charging Party,

Case No. U-21125

**County of Nassau and County of Nassau Police
Department,**

Respondent.

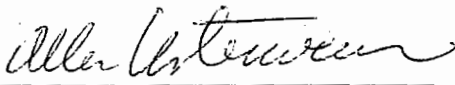
SETTLEMENT AGREEMENT

In settlement of the above captioned matter, the parties hereby agree as follows:

1. The execution of this settlement shall not constitute the admission of the violation of any State, Federal or local statutes, laws, rules or regulations by any party.
2. The parties hereby agree to meet and negotiate the issues of safety and workload impact, if any, as demanded in Mr. Greenberg's October 14, 1999 letter and in accordance with the processing of the charge in case number U-21125 as set forth in ALJ Maier's October 5, 2000 letter.
3. Based upon the above, the charging party withdraws, without prejudice, the improper practice charge in case number U-21125.

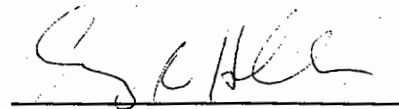
Dated: January 17, 2002

Charging Party:



Allen Unterwieser
2ND VICE PRESIDENT
N.C.A.D. P.M.A.

Respondent:



George Hollman
LABOR RELATIONS LIAISON
NASSAU C. P.D.



**POLICE BENEVOLENT ASSOCIATION
POLICE DEPARTMENT, COUNTY OF NASSAU, N.Y.**



89 E. JERICHO TURNPIKE • MINEOLA, N.Y. 11501-3106 • 516-294-6230
• 516-742-0519 FAX

February 7, 2002

GARY DELARABA
President

KENNETH J. LONG
1st Vice President

ALLEN UNTERWEISER
2nd Vice President

EDMUND FARRELL
Treasurer

WARREN HEALEY
Corresponding Secretary

JOSEPH C. FAILLA
Recording Secretary

WAYNE HARTMANN
Sergeant-at-Arms

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Trustee - 6th Pct.

KEVIN TOBIN
Trustee- 7th Pct.

WILLIAM COLLINS
Trustee- 8th Pct.

ROBERT COCCHI
Trustee - Headquarters 1

JAMES J. OWENS
Trustee - Headquarters 2

ANTHONY FAMULARI
Trustee - Headquarters 3

Attorneys:
HARRY GREENBERG, ESQ.
EDWARD J. McHUGH, ESQ.

SCHEINE, FUSCO,
BRANDENSTEIN & RADA, ESQS.

Commissioner Of Police William J. Willett
1490 Franklin Ave.
Mineola, New York

Dear Commissioner Willett,

On January 17, 2002 a hearing was held at P.E.R.B. on the position of the blotter recorder. The Police Department representatives enter into an agreement with the P.B.A. to negotiate over the workload and the safety of that position.

I have had conversations with Detective Captain George Hollman and also Chief Of the Department Crawford as to when we will meet to have negotiations on the above subject. As of February 7, 2002 I have received no response.

If I do not receive any communication by the close of business on February 14, 2002 I will notify P.E.R.B. that the department is refusing to negotiate.

If I can be of any assistance in this matter please do not hesitate to contact me.

Allen Unterweiser
2nd Vice President

COUNTY OF NASSAU**INTER-DEPARTMENTAL MEMO**

DATE: February 13, 2002
TO: Allen Unterweiser, 2nd Vice-President, PBA
FROM: Detective Captain George Hollman
SUBJECT: **IMPACT NEGOTIATIONS RE: ELIMINATION OF BLOTTER RECORDER**

The Commissioner of Police is in receipt of your letter of February 7, 2002, requesting to meet for the purpose of negotiating the workload and safety issues arising from the elimination of the Blotter Recorder position and has directed me to respond.

This matter is being handled by Gerard Fishberg, the County's new Special Labor Counsel, and was referred to him on January 25, 2002. At that time, he advised that he would contact Harry Greenberg to select mutually convenient dates on which to begin these negotiations.

I have forwarded a copy of your correspondence to Mr. Fishberg so that he may be aware of your interest in commencing these meetings.



George Hollman
Detective Captain

POLICE OFFICERS BUDGETED 1996-2003

HEADQUARTERS		DISTRICT			TOTALS	
YEAR	PO'S	BUDGET	PO'S	BUDGET	T/PO'S	T/BUDGET
1996	413	31,914,096	1975	122,064,000	2388	153,978,096
1997	433	27,231,780	1945	97,456,806	2378	124,688,586
1998	448	28,152,993	1932	103,714,194	2380	131,867,187
1999	408	29,684,235	1923	115,250,990	2331	144,935,225
2000	480	37,443,750	1833	112,491,157	2313	149,934,907
2001	460	36,079,123	1649	119,758,886	2109	155,838,009
2002	462	36,251,684	1453	111,066,153	1915	147,317,837
2003*	354	26,170,137	1375	98,693,472	1729	124,863,609

*PROPOSED 2003 BUDGET