

ABATE of New York, Inc.
State Board Meeting
Owego, New York
January 15, 2010

Meeting was called to order at 8:15pm by Beth. All stood and gave the Pledge of Allegiance

Roll call of Officers present was taken: Pres., Vice Pres., Treasurer, Secretary, Leg. Coord., Public Relations, Sgt. at Arms, Region A Coord., Region C Coord., Region E Coord.

First order of business brought up by Beth was to discuss the election of the 2010 State Officers held on November 21, 2009. Beth proceeded to read a letter from ABATE's Corporate attorney, Michael de Freitas. In this letter it was outlined the right and wrong procedures according to our By-Laws and the Articles of Incorporation. In essence the entire elected officers for 2010 were legally elected into office, with the exception of one. The only exception to this process was the position for Region D Coordinator.

Point of Order – made by Pete Shufelt that he made a Point of Order at the Nov. meeting for the Secretary to cast one ballot for all unopposed positions, but he was told that he was out of order, because we were not ready for elections yet. Pete's point of order was never included in the Nov. meeting minutes.

The only points of order recorded in the minutes were made by Tim Werder. It was also pointed out that Pete's point of order was made prior to elections. Either way, if we backtracked to include the point of order, the results would still be the same. Jim Barr also felt the same way.

The one position that is still in question is the election of Tanya Cruz as the Region D Coordinator. It was discussed that we have waived the requirements in the past and we should do it for Tanya.

From Tom Alton: "What we did at that time was out of order, but we accept this, but not as past practice." Michael and several others in the room do not agree and do not accept Tom's statement.

At this time Chris Werder asked to leave the room with the potential new chapters (2) to complete their paperwork. There will also be another new chapter tomorrow, according to Michael.

Roll call was taken of the State Board: all members were present (10) the only exception was Region D Coordinator.

Motion B01-10 made by Pete, 2nd by Beth to appoint Tanya Cruz as Region D Coordinator. Unanimous

Correspondence:

Beth reminded everyone that we have retained Ben Rabin, Atty. at Law, for civil action court. The State Board has contacted Mr. Rabin about representing ABATE of NY, Inc. against New York State for the misuse of \$552,000.00 that was a Designated fund for Driver Education & Safety. Mr. Rabin answered our request with a letter outlining the amounts that we would be billed for every 30 days. This letter also stated that if we should become past due after 90 days that we would agree that Alexander & Catalano LLC will be withdrawn as legal counsel.

The Board feels that the 90 day time line for payment should be changed to 120 days. Beth will contact Mr. Rabin about the change.

There was a correspondence sent to Beth via Mr. de Freitas that he had received from Tim Werder. Tim is demanding that we remove (2) two photos from the January State Newsletter. Beth has contacted John our Webmaster and Pam our Newsletter Editor. The pictures have been removed with our apologies. We were not aware that they were private property. These pictures appeared on

Pages 14 & 21 of the January 2010 Newsletter. Beth stated that she would also write a letter to the Newsletter apologizing for the mistake.

Motion B02-10 made by Pete, 2nd by Michael to accept the minutes of the previous meeting as printed and distributed. Carried with a vote of 10 yes, and 1 abstain.

Presidents Report:

Beth discussed the incentive program and the Charter dues that are due each year. There was a motion made in 2008 that if the Chapters were not in good standing and had not attended 50% of the State Chapter meetings, that they would not be entitled to a waiver of Charter Dues. However, it was pointed out by Pete Smith our Treasury Manager that some of the chapters that did have 50% attendance for the year would be wiped out financially. Was this something that we were prepared to do? There was a lot of discussion on this issue.

Next item for discussion was the Incentive Plan for Chapters. This year there will be 8 Chapters who will not be receiving incentive payment. These 8 Chapters did not attend at least 75% of the State Chapter meetings held in 2009 (3 out of 4).

Motion B03-10 made by Michael, 2nd by Kathy for all Charter dues for this year are waived. And that a letter is sent to all Chapters to inform them that this will be the last year they will be exempt from Charter dues waiver, unless they are present at a minimum of 50% (2 of 4) of the State Chapter meetings to remain exempt. Carried with a vote of 9 yes, 1 no and 1 abstain.

There was a discussion prompted by Pete Smith regarding Motion B69-09. This motion clearly supersedes our By-Laws. Kathy read motion B69-09. The point is the financial reports are due the last day of the next month. If we open this door, then there is no penalty for being late, plus being a violation of the By-Laws.

Motion by Michael to table the discussion on this issue until our next meeting.

Beth announced that Pam Wright our Newsletter Editor had stepped down from her position. She also made known that Pam had not paid her dues and was no longer a member since 11/30/09. Pam is still interested in remaining our editor but there were circumstances that prevented her from renewing. Damian from Buff-Erie stepped forward and paid Pam's dues for her.

Motion B04-10 made by Michael, 2nd by Pete to appoint Pam Wright to the Newsletter Editor position. Carried with a vote of 10 yes and 1 abstain.

Vice Presidents Report:

Pete Stated that his e-mail address and phone number will be in the next newsletter. He also welcomed the 2 new Chapters, Manhattan Alliance and Brooklyn Alliance.

It was stated that Ralph Wagonblott had submitted a bill for the 2009 Freedom Rally for reimbursement for his hotel room. It was pointed out to Ralph that his room had been paid for the previous year, but that motion also stipulated that it was a onetime item. Ralph then requested a budget for the Freedom Rally to pay for expenses other than room. This would be for flyers, T-shirts, etc. He was told that he already had a line budget of \$3500.00 for the Freedom Rally and that this does not include his hotel room.

At this time Kathy asked to be heard on a subject. She would like to have the forms that are used by the State Board and the State Chapters for their voting & attendance be printed at a local printer. She has been making them on her printer, but it has become costly to her and ABATE. So far ABATE has paid for over 4 ink cartridges at a cost of \$14.50 each plus tax. If she takes the forms to a

printer, they will make a 1 ream copy of the forms at a cost of \$24.25. She wants to get this done at New Life Printers.

Motion B05-10 made by Michael, 2nd by Beth for the Secretary to go to New Life Printers to get the voting and attendance forms copied. Unanimous

Treasurer's Report:

Deb reminded all of the Board members that when turning in gas receipts for payment you must turn in your starting fill up receipt and then you ending fill up receipt in order to get paid. The payment is paid on the last receipt. Deb then gave the Treasurer's report.

Motion B06-10 made by Pete, 2nd by Beth to accept the Treasurer's report and pay the bills. Unanimous

Legislative Coordinator Report:

George reported that there are 4 Bills that he will be moving for a petition to discharge on. These are the Helmet Bill, Helmet Sales Tax Bill, Thruway Toll Bill and the Stolen Plate Bill. He explained that some legislation will get to Committee and it dies right there. This will be a way of getting these old issues removed entirely. He plans on spending a lot of time in Albany this year. The NYC 416A issue has been defeated. If anyone has any questions about Confiscation Bill #1933, please get in touch with Prospector that is his priority.

George is also developing two (2) new programs this year. One is **Write To Ride**, in this program he wants every Chapter Legislative officer to write a letter to your political people locally concerning the motorcycle issues we are currently facing. He also would like a copy of the letter for himself; once he has a copy of your letter you will receive a patch with the slogan on it. The second program is **Write For Freedom**, in this program he wants every Chapter Legislative officer to write letters to your Senators and Congressmen (women) also concerning the motorcycle issues we are currently facing. Again he wants a copy of the letters for himself; and once he has copies of your letters you will receive a patch with the slogan on it.

Motion B07-10 made by Kathy, 2nd by Michael that ABATE of NY, Inc. back both of George Gorman's programs – **Write To Ride & Write For Freedom**. Unanimous

George also asked, to be sure, that he will be reimbursed for his travel. The Board reassured him yes.

Motion B08-10 made by George, 2nd by Pete to appoint Nancy Ortiz and Christina Rathbun as Legislative Coordinator Assistants in non-voting positions. Carried with a vote of 8 yes and 3 abstain.

There was an item brought up about Bob Friedrich who is running for NYS Assembly in a special 2010 election. He would like our endorsement and/or financial support. He also states that he is a 15 year member of ABATE.

Motion by Kathy to table this until our next Board meeting.

Tanya did make the suggestion that she could invite him to join her and other ABATE members at their booth at the Javits Center.

Region A Coord. – Michael Grasby

Michael reported that he had not yet had his January meeting, but he would be holding it during the Seminar. Andy Barr from Chautauqua Chapter had resigned from the chapter along with some other members. They will be forming a new chapter Cattaraugus Chapter and they will be here on Saturday. Michael also had a letter from Andy Barr requesting the \$250.00 start up money from the Board. It was stated by the Board that they cannot give the \$250.00 until the chapter has established a checking account and a PO Box.

Region C Coord. – Tom Alton

Tom made mention that he would like to see Onondaga Chapter as Chapter of the Year, because of all the trials and hardships they have gone through this year and still survived. There were several members who spoke on this subject. Some felt that other chapters have gone through a lot of issues this year, as well as some have made great strides this year. To single one chapter out now would not really be fair to all the other chapters.

Motion B09-10 made by Ralph, 2nd by Tom for the Board to draw up the criteria for a Chapter of the Year award. Carried with a vote of 10 yes and 1 abstain.

Also Tom reported that Cort-Chen had trouble getting officers for 2010.

Region D Coord. – Tanya Cruz

Tanya reported that she was able to obtain a larger booth for the Javits Center Show, and that Mitch Proner had provided a projector for them to show pictures. They will also have the next generation of bike – “The Batman Bike” at their booth. She is looking for an American flag and an ABATE flag; she would like to hang them side by side at the Javits Center. VP Pete Shufelt stated that he would see that she got an American flag in time for the show.

Region E Coord. – John O’Neill

Thanked Gary for his help and input into his getting started in this position. He has already set up dates for meetings with the Chapters in his region. Beth also told John that if he has any questions to feel free to contact any of the other coordinators or any member of the Board.

Sgt. at Arms Report:

Gary reported that he had come prepared as Region E Coordinator, but his worthy helper Tom and he had completed the signs. And he is looking forward to the year ahead.

Public Relations:

Ralph spoke on the Freedom Rally and that he has the flyers with him. He will also be getting a copy of the flyer to our web master. Suzi Q stated that the bumper stickers and pens are in; she has given a large quantity to Tanya for Javits Center. Yard signs have cost the chapters \$6.00 in the past, but there may be a change since they are looking into another company to supply them. Bags need to be reordered, but first Ralph will have to produce a new image to be on the bags. Ralph also states that the image will belong to ABATE of NY, Inc.

State Office Manager’s report:

Chris passed out statistics and comparisons for all chapters, and packets to all Board members. She also reminded all Regional Coordinators to make sure they provide her with their address or e-mail address to get their reports at.

Committee Reports:

Motion B10-10 made by Beth, 2nd by Kathy to keep the commission payments on the contracts as they are. Unanimous

Freedom Rally – Karen Kittle from Columbia sent a letter that they will not host the State Board and State Chapter meeting this year in May. There was much discussion on this subject as to where do we want to try to hold our meeting and having one central hotel for all members to stay at as well. There were several places suggested. The Blackthorne Resort has been suggested along with the Holiday Inn Express. The owner of the Blackthorne is a member of Greene County Chapter, and there is a possibility of an entire building to us.

Motion B11-10 made by Kathy, 2nd by Gary for Beth and Ralph to get the pricing on the hotel and then e-mail the Board with the information so that the Board can make a decision. Unanimous

Ralph also needs information on the permits needed for Albany and the insurance coverage. He was told by Chris that she usually handles the insurance (not the permit) and will do so again, provided the appropriate information she needs for the certificate. Ralph stated that he will get the information to her and thanked her for the assistance. As for the contest that Ralph was doing for a new design on the Freedom Rally T-shirts, he has received 2 submissions, one from Pete Smith and one from Karen Kittle. He would like to get the word out a little more and hopefully get a few more submissions.

By-Laws – Tom would like this item tabled until the next meeting. He would also like the Board to consider setting up a separate time, date and place to review the By-Laws rather than after a long day of meetings. The Board agreed.

New Business:

Pam made the suggestion of making the Newsletter Editor a voting position on the Board. Up until 2004 the Newsletter Editor had been a voting member, but with the expansion of so many Regional areas, it had been removed. This would require a By-Law change.

Beth reminded everyone that the opening of the Seminar starts at 9AM. Pete Smith mentioned that he would need one more time slot for his meeting. Sunday will be a meeting of the Board of the Foundation and a Legislative meeting at 8AM.

Meeting adjourned at 11:44PM

Kathy A. Grasby
State Secretary