

ABATE of New York, Inc.
State Board Meeting
Binghamton, New York
June 21, 2009

Meeting was called to order at 10:10am by Roadkill. All stood and gave the Pledge of Allegiance

Roll call of Officers present was taken: Pres., Vice Pres., Treasurer, Secretary, Legislative Coord., Sgt. @ Arms, Public Relations Coord., Region A Coord., Region C Coord., and Region E Coord. Absent was Region D Coordinator.

At this time Beth asked that the Board go into Executive Session. Her request was denied by Roadkill, stating that she had not give the appropriate notification as required by the By-Laws for a Special Meeting. Beth stated that she felt that this should be discussed by the Board in private. Roadkill told her that no one has anything to hide so that she should say what she has to say. Beth at this time called for a point of order and made the following motion:

Motion #B30-09 made by Beth with a 2nd by Michael to move for the Impeachment of ABATE of New York, Inc. President Tim "Roadkill" Werder on the grounds of violation of 1) ABATE of New York State By-Laws and 2) Committed acts that are prejudicial to the Aim and Purposes of ABATE of NY, Inc. (Article I: D to promote Positive Community Relations). Prior to Onondaga Chapter meeting Held on 06/14/09 Tim sent a request to all board members stating that all information in regards to Onondaga's mass resignation of chapter officers and any information in regards to this chapter and their problems should be sent to all state board members in order to review before our next Board meeting in order for the STATE Board to resolve this chapter issue. Tim created a conflict of interest when he decided to resolve this issue without the consent of the state board. He changed his membership from at large to an Onondaga Member prior to the chapter meeting, and then spoke on behalf of the state board without our consent to resolve an issue that we were told prior was to be handled at this meeting. Tim abused his authority as president when he stated to the rest of the board that this Onondaga issue was to be handled at the state board level. He never informed the board that he had intentions of attempting to resolve this crisis on his own as a chapter member which has created a conflict of interest.

Tim violated the Aims and Purposes on several occasions. I have a letter from Pete Campenella member of Buff-Erie that I received June 10th. I also have a letter from Christina Rathbun and Ed Crandall Members (and officers that were impeached at last Onondaga Chapter meeting, one by Roadkill and the other by a majority vote and Roadkill was one of the voting chapter members). Tim is not acting in the best interest of ABATE of New York as he has maligned members who have expressed concern about his leadership ability, has acted unprofessionally in an important meeting, and does not understand the value of a chapter legislation officer which is crucial to our Aims and Purposes.

I would also like to recall the comments made by Tim to our past Western Region Coordinator Shawn Fenner, in regards to Shawn's presentation at the Syracuse State Trooper Convention. Per Shawn Tim basically stated that the presentation that Shawn did at this convention had nothing to do with ABATE and that Shawn wasn't there as far as Tim was concerned. Shawn's presentation was on creating a motorcycle awareness program in our county's..... That Tim didn't bother to attend. Shawn's presentation not only refuted the previous presentation by the roadblock people, it gave the

people in power a more cost effective alternative that had no ill feelings in the motorcycle community.

Roadkill on various occasions has verbally attacked fellow officers and members of our organization by intimidation and verbal abuse and not shown professional behaviors that an officer should have. At a previous meeting we were all witness to this type of behavior. Joe Scarfo repeatedly requested the board's attention in regards to his membership. When it was finally granted, Roadkill was verbally abusive, rude and felt that intimidation was necessary. Another example of his unprofessionalism would be at a recent meeting in regards to the DMV when a fellow officer reportedly may have been sleeping during a meeting, instead of professionally handling the issue in front of a state legislature, Tim felt it was appropriate to throw a pencil at him and then blatantly tell him to wake up. There were several different approaches Tim could have taken in regards to the professionalism of this but instead he has decided to embarrass NY ABATE even more than the other gentleman could have. I feel that based on this information that Tim Werder AKA Roadkill should be impeached as President of New York State immediately.

Beth Gorman

Vice President, New York State ABATE, Inc.

Beth presented a letter written by Pete Campenella concerning his issues with Roadkill and that he was asking for Roadkill's resignation. Beth then read a letter from Christina Rathbun concerning the events that occurred on 6/14/09 and that she was asking the Board to overturn her impeachment as chapter Legislative Officer of Onondaga Chapter as well as the impeachment of Ed Crandall as President of Onondaga Chapter. She also requested the Board move towards impeachment of Roadkill as President of ABATE of NY State, Inc. She felt that his joining Onondaga chapter as a member was so that he could pursue a personal issue against Christina.

As a point of order Michael asked why Roadkill had denied Beth's request for an Executive Session. It was pointed out that Roadkill asked for an Executive Session another time to deal with an issue with another Board member, when he was looking to have her removed from office. Roadkill stated that he was not asking her to be removed from office, but to question her applying for a job with the insurance company that ABATE is dealing with. Roadkill also stated that the prior Executive Session should never have occurred, but that the information from that meeting was available on our web site.

Beth continued by reading a letter from Ed Crandall concerning all of the issues that have been taking place over the past month with Onondaga Chapter. There were letters sent to certain members of the chapter that were also e-mailed to Roadkill. (But Roadkill states that he never received them since the letters were sent to the wrong e-mail address.) There were apparently a lot of issues over the Onondaga Officers meeting held on 6/2/09 in which at least 7 officers threw in their officers' pins and walked out. This was taken as a resignation according to Ed. Their Board meeting was held over to 6/9/09 at which time there was a vote taken among the officers present to accept the resignation of the officers who left on 6/2/09. Each officer was handled individually and each ended in a tie vote. The Roberts Rules of Order were consulted concerning a President voting in a tie vote. Since that is part of his position, Ed voted yea and the motions carried.

On 6/14/09 Onondaga held their regular chapter meeting. At this meeting Roadkill declared himself a member of Onondaga Chapter and read to the membership present the e-mail that had been written over a month ago by Christina Rathbun addressed to another officer of the State Board. Roadkill then made the motion for impeachment of Christina Rathbun, this was seconded and at the vote Christina was impeached from her position as Legislative Coordinator of Onondaga Chapter. There then took place a motion made by another member to impeach Ed Crandall as President of Onondaga Chapter on the grounds of "lack of confidence by members" this was 2nd and Ed Crandall

was impeached from his office. Also, during this meeting Roadkill declared that as President of ABATE of NY State, Inc. he was declaring the officers meeting held on 6/9/09 by the Onondaga chapter officers to be an illegal meeting. Therefore he was making all the motions from that meeting null and void. Ed Crandall in his letter is asking for the resignation of Roadkill as President of ABATE of NY State, Inc. He would also ask for the reinstatement of himself and Christina Rathbun, and that the meeting held on 6/9/09 be made legal.

At this point Beth asked the question. How can we trust Roadkill? His attitude was malicious at the 6/14/09 chapter meeting of Onondaga. He had been invited there as the President of ABATE to help with the many issues surrounding the chapter. Instead he went to the meeting as a member to address his own personal problem with Christina. It was asked of Roadkill when he joined Onondaga chapter. He responded that he had joined sometime during the 1st week of June. Roadkill also offered that he had joined Onondaga Chapter to deal with Christina and the e-mail that she had written over a month ago when she was venting to another Board officer. Roadkill felt that we as a Board had slapped him in the face by voting Christina in as an Assistant Legislative Coordinator to the Boards Legislative Coordinator George Gorman. So he felt that this was the only way he could deal with Christina. Several members spoke that they felt that he did this as a personal vendetta against Christina and the Board. And what was to stop him from doing this again if another member from another chapter were to make him mad or if he is upset with another member of the Board? Another member did mention the fact that Roadkill was not the only member to vote Christina out of office, but yes it did have the appearance of a personal vendetta.

Beth reminded Roadkill that he had already asked all the Board members to turn over to him all e-mails and correspondence concerning the issues with Onondaga Chapter. And that this matter was to be discussed at the upcoming Board Meeting on 6/21/09. And that he had gone behind our backs to attend their meeting and hold his own agenda. According to Roadkill the only issue that was to be brought before the Board was the issue concerning Robert Dupre, who had been suspended from the chapter. This is not the information that the Board was lead to believe. Gary Myers, Region E Coordinator spoke that he attends all chapter meetings of his chapters, but he has no say in their business. Roadkill says that he had planned on joining Onondaga in May to deal with Christina, but that he had not had the time to do so. He stated that he had no idea of what was going to take place against Ed Crandall at the same meeting. Kathy asked Keith Borland the Regional Coordinator that included Onondaga Chapter if he had been kept informed as to all that was happening. He stated that he did attend the Officers Meetings on 6/2/09 and 6/9/09 as an impartial individual. He did have an inclination that there were problems in the chapter. And he did receive information from Ed Crandall of the invitation extended to Roadkill to attend the 6/14/09 meeting.

There were also 10 members of Onondaga Chapter present at this Board meeting, at the request of Tim "Roadkill" Werder, President of ABATE of NY State, Inc. Some of these members introduced letters from two officers of the motorcycle organization Sons of Sam MC. In a letter submitted by Jerry Letson, Treasurer of Onondaga Chapter from Ian "Goon" Grinnas the Vice President of Sons of Sam MC related the following: "Early April Rich Dupre and Christina Rathbun approached a member of Sons of Sam MC. Being the VP of this I was informed of the conversation. The conversation went along the lines of Hell's Angel MC had sent word that all bikes including my club was not allowed at the local bar (The Grind). They said a made up person "Bruce" told them that. Rich and Christina then repeated the this to me and my President. On a later date Christina said to another member of Sons of Sam MC and informed him she was representing ABATE and we were not allowed any where near their ABATE meeting hall and members." A similar letter was also read that was written by Smitty, President of Sons of Sam MC. *One note of interest is that both of these letters from Sons of Sam MC were written on ABATE of Onondaga County letterhead.*

Several other members of the Board spoke and asked various questions. There also appeared to be a lot of tension between the 10 members of Onondaga chapter who were present. Various

accusations were made and the overall issue was being lost in the turmoil between the two factions involved with the problems in Onondaga chapter.

It was then stated by Pam that we needed to vote, since we had been in discussion on this motion for over 2 hours. Beth at this time called for the vote on the motion to impeach Tim "Roadkill" Werder, President of ABATE of NY State, Inc.

A roll call vote was taken at this time on Motion #B30-09. President – No, Vice President – Yes, Treasurer – No, Secretary – Yes, Legislative Coordinator – Yes, Sgt. @ Arms- No, Public Relations Coordinator – Yes, Region A Coordinator – Yes, Region C Coordinator – No and Region E Coordinator – No. This resulted in a tie vote. It was also mentioned by several people in attendance that Roadkill should not be voting on this motion; however, he did state that he could, so the vote stands at a tie.

Roadkill called for the minutes of the previous meeting.

Motion #31-09 made by Roadkill and 2nd by Michael to accept the minutes of the previous meeting as printed and distributed. Unanimous

Correspondence:

The office received another letter from AFLAK.

Presidents Report: Waived

Vice Presidents Report:

Beth gladly reported that the contracts were ready with the help of Pete.

Motion #B32-09 made by Beth 2nd by Michael to accept the State Treasurer's Contract. Unanimous

Motion #B33-09 made by Beth 2nd by Suzi to accept the Treasury Managers Contract. Unanimous

Motion #B34-09 made by Beth 2nd by Kathy to accept the State Newsletter Officers contract. Unanimous

Motion #B35-09 made by Beth 2nd by Kathy to accept the State Officer Manager's contract. Motion carried with a vote of 9 yes and 1 abstain.

Motion #B36-09 made by Suzi 2nd by Beth to ask Chris Werder to continue as State Office Manager. Motion carried with a vote of 9 yes and 1 abstain.

Treasurer's Report:

Pete provided all Board members of the current and projected finances of the State Board along with bills to be paid.

Motion #B37-09 made by Michael 2nd by Beth to accept the Treasurer's report and pay the bills. Unanimous

Legislative Coordinator's Report:

George spoke on the Boston, MA EPA engraving bill. Boston never even considered contacting ABATE or any other motorcycle organization about what they wanted to do and what they were going to do. He would like to see all members stay involved in legislative issues not only Federal and state, but also on the County and Local level.

George would also like a letter of thanks to go to CCMS for their help, and another letter to go to Tonya and Nancy thanking them for their help.

As our Legislative Coordinator George would like to see ABATE give John Liu our endorsement in November. He is also planning a trip to DC and he will be gone for a week, George would like \$500.00 to cover the cost of printing.

The HOV lane bill was introduced, but has not been given a number as yet.

On the Helmet Bill – we should plan on a petition to discharge this bill. It has been hanging around for years with no action taken.

Like everyone else he is unsure of who is currently in control in the Senate in New York State. There has been much open debate on this subject.

George would also like to hold a Motorcycle Forum down near New York City. We won't have as many in attendance if it is held in Binghamton. Also, NYC offered an invitation to ABATE to attend a conference there.

Motion #B38-09 made by George 2nd by Beth to give George \$500.00 for the DC Conference. Unanimous

Motion #B39-09 made by Roadkill 2nd by Michael to continue to advertise in the Legislative Gazette into 2010. Unanimous

Motion #B40-09 made by George 2nd by Beth to endorse John Liu for NYC Comptroller. Unanimous

Public Relations Coordinator Report:

Suzi reported that the Bumper Stickers are in; she has 500 for each chapter to start.

Chris reported she also has DMV bumper stickers in her car today.

Suzi says she has less than 200 yard signs left, if anyone needs some please get in touch with her.

Motion #B41-09 made by Suzi 2nd by Roadkill to give Suzi \$1000.00 to order pens printed with the ABATE NYS Logo. Unanimous

Roadkill also reported that he had received photos from John J. McEnemy from the Freedom Rally.

Regional Coordinator's Report:

Region A – Michael – next Region A meeting to be held on 7/11/09. Finger Lakes chapter had to postpone their Dice Run on June 20th due to poor weather conditions. They have rescheduled their run for August 29th. Everything about the run has stayed the same and Arkport Cycles will still offer a 15% discount that day on all new merchandise, except motorcycles.

Region C – Keith – He reported that a permanent billboard has been obtained on Route (36?). They have ordered the all weather lettering for the billboard and hired an artist to paint a motorcycle on it. ABATE of NY State, Inc. will be on the sign along with the 800#.

The Region will be having regional run on 7/12/09 to Quaker Steak and Lube, all proceeds go to the MRF.

On 9/12/09 Mr. B's Beer Garden will host the Annual Horseshoe Tournament. Oswego chapter will bring the trophy they won last year, and probably take it home with them again.

Oneida still has the regions banner, it is not being used.

Region E – Gary – Due to other Commitments I have been unable to attend my chapters meetings since the last State Chapters meeting. I have had no e-mails of problems or requests for help.

Sgt. @ Arms Report:

Tom suggested using wooden dowels for chapter voting. He will bring a sample to the next meeting.

Newsletter Editor's Report:

The newsletter is still being printed on the RIT Hub. Pam is questioning the delays in mailing. Trying to work with her, Pam is still reserving judgment. It was brought to Pam's attention about the photo used on the previous Newsletter and the feedback that the Board had received over what appeared to be a beer can in the picture. It was also mentioned that anyone would need a magnifying glass to see it. We know that this was not done intentionally.

State Office Manager's Report:

Chris reported a 6/8 percent increase in membership YTD.

She has received an application for the Proner Scholarship from Jonathan Wharram, age 17, his father is a member of ABATE. He will be starting at RIT on 8/20/09. His is the only application that we have received that fits the guidelines of the application.

Motion #B42-09 made by Kathy 2nd by Beth that as per application guidelines that we award the Proner Scholarship to Mr. J. Wharram. Unanimous

****Note:** the Cenic Regional Coordinator left the meeting at 2:30pm.

Committee Reports:

Freedom Rally:

Beth will contact Ralph to find out where the money is from the Freedom Rally. George got a ticket at the Freedom Rally.

State Seminar:

The contracts have been signed to hold the Seminar in Owego again in 2010. The dates are January 13th & 14th, 2010.

New Business:

Questions were received from the floor from Ed Crandall of Onondaga Chapter:

1. He asked for the resignation of State President Tim "Roadkill" Werder.
2. That the impeachment of himself and Christina Rathbun be overturned because of no prior notification.
3. Confirmation of the 6/9/09 meeting of Onondaga Officers as being legitimate.

Tim's responses were as follows:

1. Tim refused to resign as State President.
2. That the impeachments would not be overturned.
3. There could not be an acceptance of the 6/9/09 meeting, since there are no minutes of the Officer Meeting held on 6/2/09 to verify this.

It was then brought up at this time that a meeting should be held at a location large enough to hold all the members of Onondaga Chapter, since the Loop Grill where they usually meet is not large enough. To work on creating a 2nd chapter in Syracuse, or continuing as they are now. There should be (3) three neutral parties from each faction present with an arbitrator. The projected date for this meeting would be 7/12/09. Tom Alton suggested that Oswego Chapter maybe an option as an arbitrator for the meeting. Two members of Onondaga stated that they were willing to see if either the American Legion or the VFW could be used on that date for the meeting. Lisa Morrill, Secretary of Onondaga Chapter said that she believed that a vote would be a good thing, and that it should be overseen by a Board member. It was also stated that the Secretary of Onondaga Chapter should send out postcards (as soon as the date & location is confirmed) to all chapter members notifying them of the upcoming Special Meeting and that a vote would be held at that time for them to decide if they wanted to split away from the original Onondaga Chapter and create a 2nd chapter.

Motion #B43-09 made by George 2nd by Tom to table the requests for termination of membership from ABATE of NY of Richard Dupre and Christina Rathbun. Motion carried with a vote of 7 yes and 1 abstain.

At this time Roadkill brought up the letter from Pete Smith that he would not continue on as our State Treasurer in the year 2010. Pete also stated that if we could find a replacement for him sooner than the end of the year he would be willing to step down, but still provide help to the incoming State Treasurer.

Roadkill brought to our attention that we had received a letter of interest from Deb Trask of Delaware Chapter to become the State Treasurer. She states that she is the Treasurer of Delaware Chapter and works in the Delaware County Treasurers Office. She is familiar with what we use for our programs as she has spoken with Pete about them. There was some discussion on this matter since Delaware Chapter is so new and that Deb has not held her position for 2 years. We also talked with Deb about her qualifications and her goals. There was a reminder made that there was an exception made once before when Kathy Grasby was voted in as State Secretary.

Motion #B44-09 made by Kathy 2nd by George to waive the eligibility requirements on a one time basis to accept Deb Trask as the State Treasurer. Unanimous

Motion #B45-09 made by Gary 2nd by Kathy that Deb Trask be placed in this position as State Treasurer immediately. Unanimous

At this time took her Oath of Office as Chapter Treasurer for Delaware Chapter and then took her Oath of Office as State Treasurer for ABATE of NY State, Inc.

Old Business:

By-Law rewrites from Pam Wright. The Board attempted to cover these as much as possible, but we were also reminded that the American Legion closes at 6:00pm and that the time was now 5:30pm.

The By-Laws discussion will be held over to another time.

Roadkill brought up the subject of the letter from Mr. Rabin, Attorney at Law, and his proposal to represent ABATE of NY State, Inc. as our rights attorney, when needed, based on the information supplied in his letter.

Motion #B46-09 made by Michael 2nd by Suzi to accept Ben Rabin as our rights attorney if called upon to do so. Unanimous

A motion to adjourn was made by Michael and 2nd by Beth at 5:50pm, with all agreeing.

Kathy A. Grasby
State Secretary