

ABATE of New York, Inc.  
State Board Meeting  
Binghamton, New York  
September 20, 2009

Meeting was called to order at 10:05am 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 D Coord., and Region E Coord. The Region C Coord. was absent.

Roadkill started off the meeting by stating that he was in receipt of the letter dated August 22, 2009. Per the 30 days to respond, he will not be giving his response until September 22, 2009. He did provide the State Secretary with a letter dated September 18, 2009 in which he states this position. Roadkill also e-mailed a copy of this letter to the State Board and Mr. de Freitas. Roadkill's letter of 9/18/09 was read into the record.

**MS. GRADY:**

I am in receipt of your letter postmarked August 24, 2009 in which you've inappropriately requested my resignation.

I legitimately joined the Onondaga Chapter as a Chapter member to move for removal of Ms. Rathbun from office because her act of improper public criticism of the President of the statewide organization, through her uncontrolled correspondence, was detrimental to the purposes of the organization, and evidenced her lack of qualification for her position.

In your letter, in addition to the above, you have again falsely accused me of being instrumental in the impeachment of Ed Crandall, and I again advise you that the membership, excluding myself, was responsible for that action.

Be advised that the thirty-day timeframe referenced in Article XV.B.5 of the by-laws will not have been reached until Tuesday, September 22, 2009, and I do not anticipate advising you of my expected course of action until that date.

At this time George stated that he felt that Tim had had more than 30 days notice of a pending impeachment. Referring to the fact that this had all been discussed at the State Board Meeting held on June 21, 2009.

A motion was made by George with a 2<sup>nd</sup> by Suzie to move for the impeachment of Tim "Roadkill" Werder as State President/Director of ABATE of NY, Inc. After much discussion this motion was withdrawn.

During the discussion Suzi pointed out the fact that there are at least 2 letters from members of ABATE asking for the removal of Roadkill as President. It was also pointed out that Roadkill has abused his position as President more than once and also threatened various members of the Board with a law suit. Suzi stated that she has various e-mails and discussions with other members of ABATE who also feel that it is time for Tim "Roadkill" Werder to go. Gary and Michael both pointed

out that we need to follow proper procedure. Kathy also made the point that “as much as this pains me”, Roadkill does have until September 22, 2009 to provide us with his response.

**Motion #B50-09** made by Beth 2<sup>nd</sup> by Kathy to hold a Special Executive Board meeting prior to the Pre-Board Meeting on November 21, 2009 at 11AM, based on the response received by the Board from Tim on 9/22/09. Unanimous

**Motion #B51-09** made by Michael 2<sup>nd</sup> by Gary to accept the minutes of the previous meeting as printed and distributed. 8 Board members voted yes, 1 was out of the room.

TREASURER’S REPORT:

Per a report submitted by State Treasury Manager, Pete Smith the financial reports for Cayuga Chapter have been filed continuously late and incomplete. Their treasurer has stated that he will be getting everything current and complete. He does understand that if he does not, then the chapter will not be in good standing, and therefore unable to vote at the next State Chapter’s meeting.

Deb stated that she will try to answer any questions regarding the proposed budget for 2010. Pete put this package together and all chapters have been given a copy for their review. This will be voted upon at the next State Chapter’s meeting. Suzi also spoke on the fact that with the creation of the 501.C3 Foundation, the money spent on Public Relations could now come from this Foundation. She has spent approximately \$2,000.00 this year for materials. There was also a discussion about Deb being able to pay routine bills when they come in, rather than having to wait for a State Board meeting. Otherwise, we are being accumulated late fees and/or interest. Deb was informed that she does have the authority to pay the routine operating expenses as they occur, and that she does not have to wait for Board approval. There was also a discussion about the cost of the printing of the Newsletter. Chris and Kathy both had contacted the RIT/HUB concerning this. Chris had received a response that during 2008-2009 the cost of printing alone was \$14,800.00 and this did not include the postage.

There was also a discussion regarding the bill we received from our corporate attorney Mr. de Freitas. Roadkill requested that the treasurer read the breakdown of the bill.

8/13/09	Impeachment questions	\$282.75
8/14/09	Phone conv. w/Sec. & Pres.	530.40
8/19/09	VP conversation	58.50
8/21/09	501.C3	247.50
8/24/09	501.C3	49.50
8/25/09	501.C3	115.50
8/26/09	501.C3	<u>16.50</u>

Total \$1300.65

Roadkill’s issue with this bill was that we were charged so much for the use of the attorney on the impeachment process. Kathy spoke on this. She is the one who spoke with the attorney for approximately 45 minutes at his request. Roadkill had indicated a week prior to the phone conversation that he would be getting in touch with the attorney and that the Board should wait for his response. However, after waiting 1 week for the response, Mr. de Freitas was e-mailed in regards to the situation. He responded via e-mail for one of the Board officers to contact him with a phone number. Kathy stated that she was not going to apologize for speaking with the attorney because it was the right thing to do.

At this time Roadkill also mentioned that there were two communications from Pete that might also need to be added to the minutes of the meeting. The first was entitled "Numbers Don't Lie", this was written for publication in the Newsletter. The second was entitled "Spend, Spend, Spend". Roadkill read both papers, and requested that this be reflected in the minutes. It was also brought up at this time about the issue of the Newsletter. George asked why we couldn't go to a quarterly printing.

**Motion #B52-09** made by Michael 2<sup>nd</sup> by Gary for the Treasurer to pay the bills and to accept her report. Unanimous

Now moving on to the creation of the 501.C3 Foundation. Beth suggested that that since notification from our attorney indicated that we should have at least 3 Directors listed on the original corporation papers that we go with the 5 people who have already volunteered. These people would only be temporary until such time as the Board votes on a permanent Board of Directors for the Foundation. This way we can move on. Roadkill asked what the names of the 5 volunteers were, they are as follows: Suzi Long, Beth Gorman, Chris Werder, Gary Myers and Pete Campenella. Roadkill has an issue with Pete being listed as one of the Board of Directors on the original certification of incorporation for the Foundation. This is because of a previous issue involving supposedly racist's remarks made by Pete. Roadkill feels this could reflect badly back on ABATE. Suzi does not agree, and feels that it shouldn't matter who is on the Board of Directors. Michael feels we should get 3 people and move on, also he feels that it should not be any of the current State Board Officers. George reported that Bruce Arnold, where the whole issue with Pete started is no longer a member of Rochester Rides, he is dying out and not welcome. Jim feels that we should go with the 4 out of the 5 people who volunteered and explain to Pete what the concerns are. Gary feels that there is a potential for a problem. Beth stated that she will vouch for Pete, that he is not a racist. She still wants him involved in some way, even if not on the Board of Directors. Suzi wishes her name to be withdrawn as a volunteer for the Board of Directors.

**Motion #B53-09** made by Michael 2<sup>nd</sup> by Gary to use the following volunteers; Beth Gorman, Chris Werder and Gary Myers as the temporary Board of Directors for the Foundation. 8 Board members voted yes and 1 voted no.

#### LEGISLATIVE COORDINATOR'S REPORT:

George reported that the Primary elections are over in NYC. Gerson lost in his District which puts him out of the race, Chin won her Primary so she will be on the ballot come November. John Lu did not get 40% in his Primary race, but he did garner enough votes to still be on the ballot in November for NYC Controller. Christine Quinn who is Speaker of the Council in NYC is not in favor of 416-A. But we still need to keep our guard up; anything could change at any time. There is also talks of a possible ABATE chapter forming in the Bronx. Mitch Proner has sent numerous letters to the motorcycling community in attempt to build awareness as to what is happening to their rights as motorcycle riders and owners.

Locally George reported that the Town of Riga did pass an Off Road Law, but the Town of Ogden did not. As far as the noise meter agreement George is not in favor of this. Since there are laws already in place and have been for years. It was established at 82 decibels and the states keep changing them to high numbers. Roadblocks continue to be a problem; he feels that we need more than a lawsuit to stop them. He would like to see a hundred or so riders converge on a State Troopers Barracks as a sign of protest.

#### PUBLIC RELATIONS OFFICER REPORT:

Suzi stated that she had sent an e-mail to all PR officers in each chapter telling them she is not running again this year. She also stressed that they should go back to their respective chapters and discuss whether one of them would be interested in running for the State Board as the Public Relations Officer. Suzi will still be doing the State Seminar this year. She has a digital copy of some of the interviews that were done this year, to use at the PR Session at the State Seminar. She is also working on completing orders in order to have everything in stock at the Seminar this year. All the bumper stickers are gone including the DMV supply we had.

During a discussion on the bumper stickers we purchased it was suggested that they should be less wordy and a higher quality of vinyl.

**Motion #B54-09** made by Suzi 2<sup>nd</sup> by Beth for \$1,500.00 towards a replacement quantity of bumper stickers. These will be of a better vinyl and a different design. Unanimous

#### REGIONAL COORDINATORS REPORTS:

**Region A** – Michael reported that Finger Lakes Chapter did hold their run on August 29. And it still rained. His next regional meeting is in October. Michael also asked about an issue that came up at the meeting in Ghent. He had submitted expenses related to the regional meeting he held as Region A Coordinator. He was told at that time by Pete that he wouldn't be paid, because it had never been done before. His question is why? There was some discussion on this and it was recognized by other coordinators that they should be paid for their gas.

**Motion #B55-09** made by Michael 2<sup>nd</sup> by Gary that the Regional Coordinators are reimbursed for their receipted gas and tolls in the course of their duties. Unanimous

**Region D** – Jim reported that their camp Out was well attended this year and brought in some much needed funds for their chapter. He has spoken with Tonya Cruz about her becoming the Region D Coordinator for next year. He is hoping to nominate her at the meeting in November. Long Island ABATE is also one of the sponsors for a concert to be held on October 4 to benefit 3 veterans organizations. This venue is presented by the Town of Brookhaven, the Town Board and Supervisor as well as the Suffolk Police Veterans Association. ABATE of NY is listed as the sponsors for Molly Hatchet. This will be just their first step towards future events of this kind. Long Island is also offering a \$5.00 coupon to any member who brings in a new member. The coupons are good for 1 year and they can be used towards that member's renewal fee. They are also working on a type of Gift Membership that one person could buy for another; there are still some details to be worked out on this yet.

**Region E** – Gary reported that the chapters in his region have raised money for several charities. Membership is about the same. Everything is going pretty well.

**Region C** – Keith was absent from the meeting. But Roadkill did report that the Onondaga Horseshoe Tournament went very well and was very well attended, also that Cayuga walked off with the trophy.

#### SGT @ ARMS REPORT:

Tom is finishing the design on the sign holders, with shorter posts. The theme color is in black and white. He has also been in contact and waiting to hear back about the possibility of a new chapter in Madison County. Yard signs have been a great success this year, very popular.

#### NEWSLETTER EDITOR REPORT:

Pam read an e-mail sent by Kathy to the RIT/HUB. In the e-mail Kathy questioned the cost of printing of the Newsletter and how much the increase of an additional 200 copies would be. Pam asked what the response that Kathy had received from them was. Kathy responded that she had not gotten a response yet since she only sent her message on Friday. But Chris had also contacted them and she had received their response. Chris's response came from John Myers who is the Director for the HUB. During the 2008-2009 year ABATE paid \$14,861.00 for the six issues of the Newsletter as well as \$643.00 for prep and mailing. This works out to approximately \$2,477.00 per edition and \$107.00 for mailing and prep per edition. Chris made a suggestion based on information she received from RIT/HUB, that it would be less costly if we were to change the size of the Newsletter from 8 1/2 X 11 to 6 X 10. There was some concern expressed about the size of the print that would be used for this. Some of our material is in small print already, and to make it any smaller would make it extremely difficult to read. Roadkill had some suggestions as to the possibility of going to another printer. He is going to check with a printer in Albany and another one in Utica. Pam will also check with one of the original printers who are located in Tompkins County to find out what their pricing would be. It was also suggested that we might want to consider going back to a newspaper format; this would be a cheaper option. The deadline for the next Newsletter is October 1<sup>st</sup>. This is for the November issue which is our last one of the year. Pam also asked that someone connected with the State Seminar please get information from the Seminar to her before October 1<sup>st</sup> so that it can be included in November's issue.

#### STATE OFFICER MANAGER'S REPORT:

Chris reported that our current membership is up 3.9% over last year at this time. She has been receiving requests for more tri-folds. She has ordered 5000 more. And as a reminder to all chapters, please remember to use these for events and recruiting. Please don't waste them on renewals. Renewals can and should be done on the tear pads.

#### COMMITTEES:

**State Seminar:** No new information to report. Beth did state that Wayne from Iowa will be coming as our guest speaker. She also noted that he is also a candidate for the MRF office of Membership Officer. The question was asked if we can hang our banner outside of the hotel. Suzi has the yellow billboard banner. Chris is not sure just who has the 2 white State banners. We need to check with Prospector and see if he has just 1 of them or both. One was used at Skin and Steel and after that event Michael gave it to Pete Campenella. Several members spoke on plastering the hotel with chapter banners as well. Someone suggested hanging out of our room windows, but that might cause an issue with the Fire Department as a hazard.

Roadkill also brought up about the renewal of sponsorship. He has sent out letters to the current sponsors and letters to other businesses that might be interested in becoming sponsors. We could definitely use more sponsorship. Pam asked that since Roadkill has been doing all of this and maintaining the files on the sponsors that maybe this should be included in the duties of the President. This was relayed to Tom Alton, to remember this when he is working on the rewriting of the By-Laws.

**By-Laws:** Tom would like the opportunity to sit down with at least 2 other Board members to help knock out this. Maybe on a Friday night or Saturday afternoon would work. Try to meet in a central location. Suzi suggested he might want to consider joining the internet world. Tom says he is not going on the internet to do this. Unfortunately working on this has been stalled by other issues that came up. It was suggested that the Board get together during the December State Board

meeting. He can go with some of the changes already made and continue on from there. There are many inconsistencies in the By-Laws that need to be corrected.

#### OLD BUSINESS:

Beth asked that Ed Crandall be allowed to speak on the issues he is currently having with Onondaga Chapter and the mailing of his letter to the membership as well as the post cards to be sent by the State Office Manager. Suzi asked that the motion regarding Onondaga from the last State Chapter meeting be read again. Motion #M19-09 made by Oneida and 2<sup>nd</sup> by Long Island that the Onondaga Chapter President send a letter to all members of the chapter, followed by a post card sent by the State Office, asking the members to return the card with their choice of chapter, either Onondaga or the newly formed Syracuse Chapter. Once the votes are counted, that the monies from Onondaga be distributed between the two (2) chapters, based on the percentage of members.

There was a discussion about who was paying for the letter to be sent. This matter was then reverted to new business.

#### NEW BUSINESS:

Ed Crandall spoke on the letter that he has sent out to the Onondaga Chapter membership. Roadkill asked Chris if she would mind reading the contents of the post cards that were being sent. Ed said he would like to hear this also. Per Chris; "I am aware that my current ABATE of NY, Inc. Chapter is splitting. I wish to stay with Onondaga Chapter\_\_\_\_, I wish to transfer to the Syracuse Chapter \_\_\_\_\_." Also included on the card was their name, membership number and their expiration date. Also they were reminded that if they were past their expiration date then they will need to renew first.

Kathy asked if there was a deadline date set for a response. All felt that at the November Meeting the percentage will be determined by the number of cards received back in the State Office.

Ed had the letters printed at the same place where their chapter newsletter is done. He took them home to prep and mail them. He received flack from the chapter Treasurer for doing this. He was warned not to do this again or he would be in Hot Water. He mailed everything at his own expense. Beth and others felt that Ed should also be reimbursed for the postage.

**Motion #B56-09** made by Beth 2<sup>nd</sup> by Gary to reimburse \$27.70 to Ed Crandall for postage. 8 Board members voted yes, 1 was out of the room.

There was a discussion about the fact that when Ed made a request to Lisa Morrill, Onondaga's Secretary. Roadkill intervened and told Lisa to send nothing to the address Ed had given. Roadkill felt it was inappropriate to send information about one chapter to another chapter officer's address. Ed felt that Roadkill had no business interfering with his mail. He stated that he was living at that officer's home at the time for approximately 3 weeks. Some also felt that Roadkill should not have interfered since the mail was addressed to Ed Crandall and not the other individual. Either way Ed did then provide his Liverpool address. But to date he has still not received the information or the items he requested. Roadkill then deferred to the State Secretary to send a letter to Lisa Morrill, Onondaga's Secretary demanding that Onondaga Chapter comply with the request of their chapter President. Ed also has 2 letters requesting officer's resignations. He will bring them to the November meeting. This will be placed on the agenda for the next meeting. One other thing from Ed, he wanted to thank everyone for getting him reinstated.

Michael reported that he had spoke with Tony from the VFW and that the room is available at 11AM on November 21, 2009. So we can plan on holding the Executive Session at that time. Beth asked if everyone was agreeable with this and all were.

There was a request from Pete that we might want to look into hiring a new CPA firm to represent us. Roadkill stated that he had received 2 names from our corporate attorney who might do the work we need done and he also will contact another firm in New Paltz. Roadkill will speak with Pete about what he would suggest should be included in our letter to these various CPA firms, including the one we currently use.

Beth asked if anyone had spoken to Ben Rabin about representing us in the case of the missing \$552,000.00 in funds for Safety & Education from NYS. The response was that nothing had been done about this at this time. However, this should be brought to the chapters and placed on the agenda for the next State Chapter Meeting on November 21, 2009.

Jim asked about the use of a formula to establish each chapter having a percentage of votes based on the number of members in each individual chapter. One example was that say you establish that for every 50 members your chapter would have one vote at the State Chapter Meetings. So if you have 100 members then your chapter would be entitled to 2 votes, and so on and so forth. Roadkill said that this might be an option, but it would also require a By-Law change and need to be addressed at the State Chapter Meeting. Roadkill also suggested that Jim put his concept in writing and forward it to the Board.

There was a question raised by George as to why a member who is in attendance at a State Board meeting cannot speak. There seems to be a lot of inconsistency in how it is decided as to who can talk and who cannot. George has been a member for a long time and he has always been allowed to speak even before he became a member of the Board. Roadkill quotes Article VI, Section C, sub 2 "State Board Meetings shall be open to all ABATE of NY, Inc. members. As observers. (Seating may be limited due to space availability.) If a member wishes to speak at the State Board Meeting then they should request to be placed on the agenda of the meeting.

Michael asked about the new web site (abateny) created by Roadkill, this site is a yahoo group, and it is a newsletter forum, not use for chit chat. Several members have tried to access this site and are met with the issue of having to sign in or update their information and their approval is pending. For some this has been the case for over a month now. The (abate officers group) does still exist, but it does need a moderator. Beth has volunteered to take over the abateofficers site. Roadkill still does not understand why none of the officers can get into the new site. He states that he transferred all material and names to the account when he created it (the new one). He will look into it, as to why some people are pending.

**Motion #B57-09** made by Tom 2<sup>nd</sup> by Beth to adjourn the meeting at 1:51pm. 8 Board members voted yes and 1 abstained.

Kathy A. Grasby  
State Secretary

