

# NEW YORK NAVAL MILITIA NEWSLETTER



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My condolences and best wishes go to the Golding family during their bereavement for the untimely death of BM1 Golding. He will be missed by his shipmates but not forgotten!

Ethics is the basis of all leadership. If we do not program ourselves to do what is right 24/7 one might risk misperception of doing something that looks wrong and/or worse may appear to be misappropriation of state assets. Case in point, if you drive a naval militia vehicle in civilian clothes and you are under orders and are completing a designated mission, you will still appear to be misappropriating a state asset. One should not have to be reminded that in and out of uniform you still represent your service and the NY State Naval Militia. If you are on mission, you are required to be in uniform.

Congratulations to our Josephthal awardees Lt Steven Carroll and Alpha Company 6th Comm Battalion!

I could not be prouder of the men and women of our militia. Our numbers are growing and our diversity and capability of mission accomplishment continues to expand. Keep your sea bag ready as we are in Coastal Storm Season!

Robert L Wolf, Commander, New York Naval Militia

## Events / Training

**NYNM Leadership Conference:** -- OCT 10th  
Camp Smith

**MEBS Functional Exercise, Trojan Gunwale** -- OCT 17-18th

**Change of Command** -- December 6th  
SUNY Maritime



## Change of Command

On Saturday June 7, 2014 Major General Robert L. Wolf, Commander, New York Naval Militia, announced his intention to retire effective December 6th, 2014. On that date there will be a Change of Command Ceremony in the SUNY Maritime campus where RDML Ten Eyck (Trip) Powell shall assume the duties and responsibilities of Commander New York Naval Militia.

Announce this to your Regions and NYNM members throughout the Command. All NYNM members should reserve the date of December 6th, 2014 to attend the Change of Command Ceremony. No cost SAD or Employer letters shall be made available. Additional logistical and uniform instructions shall be promulgated as the date approaches.

## 2014 Josephthal Awards

The 2014 Josephthal Award recipients have been announced. Congratulations to this years honorees.



**New York State Naval Militiaman of the Year:**  
LT Steven Carroll



**New York Naval Militia Unit of the Year: Alpha Company 6th Communications**

# The New York State Code of Ethics & DMNA Regulation 56-1: Restrictions on the use of Military Property

A violation of the ethical rules that apply to us as members of the New York Naval Militia (NYNM) can lead to complaints from citizens who perceive an ethical violation. This article will focus the use of NYNM property.

The New York State Joint Commission on Public Ethics (Joint Commission) has an easy-to-use website that contains the ethical rules as well as opinions that provide case-specific examples of the rules' applications. The website is at: <http://www.jcope.ny.gov/>

Section 74 of the New York State Executive Law provides in subdivisions (d) and (h) that,

(d) No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other purposes. . . .

(h) An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

As an example, the use of a NYNM vehicle, or Thruway or Bridge passes, for personal errands violates both of these subdivisions. The New York Attorney General pointed out in an opinion evaluating this section that "a public official must not only be innocent of any wrongdoing, but he must be alert at all times so that his acts and conduct give the public no cause for suspicion. He must give no appearance of a potential conflict between his official duties and personal activities even though an actual conflict is not present." 1979 N.Y. Op. Att'y Gen. 66 (1979). In that 1979 opinion, the Attorney General concluded that even though the state official who wrote to him for advice was not committing any actual violation of the rules, her proposed action would violate section 74(h) (the appearance of a violation) and was, therefore, prohibited. Additional guidance can be found in the Joint Commission's Advisory Opinion 07-03, which dealt with the use of state aircraft. Included in that opinion is this admonition: "State supplies, equipment, personnel and other resources must be used only for government purposes and not for private gain or partisan politics."

In addition to State law, the Division of Military and

Naval Affairs (DMNA) has a regulation, 56-1, entitled Fleet Vehicle Operation. That regulation contains the following restriction: "Vehicles funded through a NYS resource are for 'FOR OFFICIAL USE ONLY' and will not be used for private business, personal errands, recreation, and domicile to duty." New York's Military Code makes it a court-martial offense for a NYNM member to violate a lawful regulation. N.Y. Military Law § 130.88.

When acting in your capacity as a NYNM member, especially when you have custody of NYNM property, you must avoid even the appearance that you are violating the ethical rules. Additionally, remember that you are governed by general regulations in force as well. Examine your action from the point of view of an uninformed member of the public and ask yourself whether your intended act would give even the appearance of using military property for personal gain. If in doubt, make an inquiry up the chain of command before you undertake the action that may result in a violation and disciplinary action.

## BM1 Charles Golding

Nov. 30, 1979 - July 24, 2014



PO Charles O. Golding joined MEBS in April 2013. In late spring 2013, he was assigned to JTFES where he qualified as Coxswain on the PB 300 class boat at Indian Point. He was assigned to JTFES until July 21, 2014. He died July 24, 2014.

## Results Of The 2014 Naval Militia Promotional Board

Major General Robert L. Wolf, Commander, New York Naval Militia, has approved the 2014 Promotion Board's recommendations to select the following individuals for promotion.

Some individual promotions are subject to specific prerequisites and this message is not authorization for actual promotion. Individuals shall be contacted with special orders for the actual authority for promotion to the next rank with date of rank included.

Please join the Commander, New York Naval Militia, in congratulating our members on their selections and dedication to the New York Naval Militia.

### Powell



*Captain Trip Powell to the rank of Rear Admiral (Lower Half)*

### Gray, Jr.



*Equipment Operator First Class Thomas A. Gray, Jr. to the rank of Equipment Operator Chief Petty Officer*

### Hawley



*Commander David H. Hawley to the rank of Captain*

### Bhola



*Aviation Boatswain's Mate Aircraft Handling Second Class Bharath Bhola to the rank of Aviation Boatswain's Mate Aircraft Handling First Class*

### Hill



*Machinist Mate Second Class Robert L. Hill to the rank of Machinist Mate First Class*

## Naval Militia Marks 123rd Anniversary

June 23, 2014, the Naval Militia celebrated its 123rd anniversary. Our best beginnings started in the New York City Maritime Club. The opportunity to serve continues through the deployments to the World Trade Center Recovery and Hurricanes Irene and Sandy. You and your fellow Sailors, Marines, and Coast Guard reservists have truly embodied the phrase "three times a volunteer." You have answered the call to your Nation, your State and your Communities. You represent proud generations of dedicated Men and Women who have volunteered in time of need to save lives, protect property and when required to aid in recovery.

The most important element of our success has been and always will be: The individual reservist!

Thank you for all that you do. I could not be prouder of our New York State Naval Militia. Happy Birthday!



**CAPT David Hawley, RDML Trip Powell, CDR Don McKnight celebrate 123 years of the Naval Militia on 23 JUN 2014.**

## Wearing the NY Naval Militia Uniform

Greetings from your new Executive Officer and Chief of Staff: I want to emphasize that I have not seen any instances of New York Naval Militia personnel wearing our uniform improperly. However, I want to stress that we have to be ever vigilant in our wearing of our uniform.

*“At no time shall the uniform of the New York Naval Militia be worn by any person unless acting in an official capacity of the organization.” NYNM Instruction 1001.1A (17 Feb 2012)*

We must be conscious that when we wear our New York Naval Militia uniform, the citizens of New York see a representative of the State Defense Forces and the Governor of New York State.

*“Members may participate in uniform in ceremonial events at or sponsored by religious institutions, political parties, or private corporations as long as such representation does not endorse, or appear to endorse such entities.” NYNM Instruction 1001.1A (17 Feb 2012)*

As you can see our NYNM Administration Instruction allows us to go to ceremonial functions in uniform... However, our other instructions and the Division of Military and Naval Affairs (DMNA) regulations provide that whenever we are in uniform we must have supporting orders/authorization to be representing the State of New York.

These two sentences are not in conflict but rather they support each other, a **NYNM member may go to a ceremonial event but first must get official corroboration that they do so in an official capacity.**

There are two ways Naval Militia members can receive confirmation that they are acting in an official capacity: 1) be ordered to State Active Duty (SAD) (paid or non-pay); or 2) be ordered to temporary duty for training by written order or in a Letter of Instruction (LOI) for an event on the Annual Training Plan. Note: DMNA regulations state that NYNM members attending ceremonial events must have SAD orders. Contact me at david.h.hawley1.nfg@mail.mil or 518-786-4584 to request either of these two orders or for clarification on what constitutes a need for one of these orders. Remember all members must have an annual physical exam on file to be eligible for SAD.

The bottom line for all New York Naval Militia members is this: do not decide on your own that an event warrants putting on the uniform of the New York State Defense Forces and representing the Governor of New York. Wear your uniform proudly when you are tasked with the opportunity to represent our New York Naval Militia in an Official Capacity.

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## Naval Militia Census

1-Jul-14	SOUTH	NORTH	WEST	TOTAL
OFFICER	155	34	45	234
WARRANT	11	4	5	20
ENLISTED	1801	345	376	2522
TOTAL	1967	383	426	2776
NAVY	1029	142	298	1469
MARINE	759	194	104	1057
COAST GUARD	131	2	2	135
STATE ACTIVE LIST (5%)	27	25	11	63
FEDERAL COMPONENT LIST	21	20	11	52

## Embark On MEBS PB 220



Rear Admiral Eric Young, Deputy Chief, Navy Reserve embarked on MEBS PB 220 on the Mohawk River, Sunday 8 JUN14. He was embarked as part of his familiarization tour at NOSC Schenectady. Also in the photo is NOSC Schenectady CO, CDR Vince Perry (pointing). Petty Officer 2nd Class Carlos Soto, NYNM is at the helm of PB 220.