

# Allegro

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LOCAL **802** AFM

ASSOCIATED  
MUSICIANS  
OF GREATER  
NEW YORK

[www.Local802afm.org](http://www.Local802afm.org)



# WE WILL SURVIVE!

## Celebrating the joy of Pride Month in a time of crisis

ON THE COVER: LOCAL 802 MEMBERS ERIC & JUSTIN MENDOZA; KRISTY NORTER; JESSE KISSEL

# THE ARTS WILL PREVAIL



## PRESIDENT'S REPORT

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**R**ECENTLY I HAD the privilege to participate on a Zoom panel at Yale School of Music – my alma mater – with students who will soon be graduating and joining the workforce. The question I received most from the students is the same one we all are thinking: “When are musicians going to be able to return to work safely?” Unfortunately, the answer right now is still the same: we’re not sure. One recent data point comes from the Broadway League, which recently announced that it will issue refunds to ticketholders for all performances through Sept. 6. There is also widespread expectation that live performances will not be taking place even soon after that date.

Your union is now working to be sure that when we do go back to work, all of our members will be safe. Local 802 is active in many of the groups that are weighing in officially in the industry, the city and the state regarding safe return-to-work policies. We are currently in the process of launching a Local 802 Reopening Task Force, which will deal with the question of how best to protect our members when live performances return. We will rely on the advice of experts in the public health and epidemiology fields to come up with guidelines and best practices. In addition, Theresa Couture, Local 802’s principal business rep, is currently serving on the Covid-19 Reopening Committee of the Coalition of Broadway Unions and Guilds. Finally, we are in close contact with both the governor’s and mayor’s

office and their various task forces.

Looking at the big picture for all musicians, I have also been lobbying Ray Hair and the AFM International Executive Board to take a more active national role in the musicians’ response to the pandemic. One step the AFM can take is the creation of an AFM National Live Performance Reopening Task Force, which could study how best to protect our members with a set of national guidelines. The task force should establish a set of uniform policies that the AFM formulates in consultation with safety specialists that could be distributed to all AFM locals.

The officers, Executive Board and our amazing office staff continue to work hard to assist members and run the business of Local 802 remotely. Everyone is doing a great job in the face of this unprecedented crisis. The Executive Board has continued to make tough decisions in order to assure the long-term financial safety of our union, including the gut-wrenching call to put a large percentage of our staff on emergency leave, including many incredible people who have served the union with all of their heart and soul for many years. I would like to name them here (in alphabetical order): Alex Blake, Cathy Calabrese, Jiayin Chu, Bettina Covo, Bill Crow, Maureen Cupid-Pierre, Maria DiPasquale, Amoh Essandoh, Julie Ferrara, Shane Gasteyer, Darlene Irizarry, Fran Kayne, Vicki Levy, Wen Lin, Major Little, Marcus Medina, Cassandra Palacio, James Park, Bob Pawlo, Avelon Ramnath, Chris Reza, Denise Rodriques, Paul Rusk, Debbie Shew, Steve Singer, Ralph Smalls, Greg Venuto, Peter Voccola, Anna Wichert and David Will. (We’ve been able to hire back some of our Electronic Media Department on a daily basis to process essential recording checks for our members.)

Three of our remaining staff have been asked to drop down to part time and everyone has been asked to accept a pay cut to conserve our resources. In solidarity, all the officers

and members of the Executive Board have voluntarily reduced their salaries as well. (See more in Recording Vice President Andy Schwartz’s column on page 3.) A complete list of our current staff can be found at [www.Local802afm.org/leadership](http://www.Local802afm.org/leadership).

On a related note, this could be the last paper copy of *Allegro* that you receive for a while. To save money, we are temporarily changing to an all-digital format that we’ll post online and send out via e-mail. If you have any questions, please send an e-mail to Mikael Elsila at [Allegro@Local802afm.org](mailto:Allegro@Local802afm.org).

I also want to mention the passing of Elaine Howard, our long-serving receptionist, who was the voice of Local 802 for almost 40 years. A tribute to Elaine and to others who have recently passed appear in our obituaries on page 32.

An important and tough question right now for us as a union is what will happen to the 802 Health Fund in light of major reductions in employer contributions due to the Covid-19 crisis? This is one of our top priorities and we’re working on this around the clock. We hope to have an update soon that will come from the union-side fund trustees.

Members continue to make me proud in the ways that you are using your creativity, music and kindness to help make the world a better place. Now more than ever our music is needed, and we have to make sure as a community we get that message out. One way we’re doing this is a partnership with the Mayor’s Office of Media and Entertainment and NYC Health + Hospitals. From the middle of May to the first week of July, select Local 802 members will be streaming solo Facebook Live performances from their home, every day from 12 noon to 1 p.m., seven days a week. Their performances will be beamed to all of NYC’s 11 public hospitals via <https://www.facebook.com/NYCHHealthSystem>. Be sure to watch! Special guests include Tony Bennett, Questlove, Rosanne Cash and more.

(These performances are paid under a Local 802/AFM contract.). We’re very excited about this way to share our music with hospital heroes and their patients.

Another way we’re reaching out is our Songs for Support video campaign to support the Local 802 Musicians’ Emergency Relief Fund. Watch our latest video at <https://erf.local802afm.org>, where you can also apply for support or donate to the fund.

All of these videos are great, but many of you may be wondering, when can we get together as a community to talk and get union updates? Obviously, our membership meetings can’t take place in person, but there will be a first-ever 802 virtual town hall meeting in June, and information will be sent to the members once details are in place. I look forward to updating membership on our overall response to the Covid-19 crisis and our plans for the future.

The last question we are all thinking is: how are we going to get through this? The way we will persevere is by sticking together with our families, friends, fellow 802 members and musicians, allies in the labor movement and government, and all of our powerful communities and groups. We will help others when we can, and we will also all need help as an arts community. The road ahead will not be easy, but we can do it – and we will. Our union is strong. In the face of this unprecedented crisis, I have seen our community of 802 musicians come together to support one another in many meaningful ways. No one will be left behind. We are all in this together and we must have hope that as we fight through this crisis as one, we will prevail. As scary as these times are for musicians, I know we are all hopeful at the core. It is from that place of hope that we will overcome.

On a personal note, I want to share with everyone that my wife Betsy and I recently welcomed to the world our first child – a happy and healthy baby girl named Poppy.

# WE ARE HERE FOR YOU



**ANDY  
SCHWARTZ**

Andy Schwartz is the recording vice president of Local 802 and the supervisor of the union's activities in electronic media services, club dates, hotels, nightclubs, jazz, Latin, music education and the Local 802 Musicians' Emergency Relief Fund.

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The Local 802 Musicians' Emergency Relief Fund SONGS FOR RELIEF campaign has released a number of videos. (Pictured at left: "In the Time of..." by Jason Robert Brown.)

Learn more about the campaign, donate to the ERF, or apply for financial aid at <https://erf.local802afm.org>

**T**HE COVID-19 PANDEMIC has changed so much of the way we at Local 802 are managing your union. While Adam, Karen and I continue to work remotely, seemingly 24/7, to communicate with members and employers and handle ongoing negotiations for expiring agreements, a majority of the 802 staff is on emergency leave. Those of us still on the job and working from home sorely miss our colleagues, the camaraderie and their contributions to the smooth running of the local. The realities of sustaining the regular monthly costs of the local's operations in light of the expected dramatic reduction in revenue from work dues has hit home. In response to the financial pressure – and as a preliminary step – the Local 802 Executive Board and officers are taking voluntary reductions in salaries and have asked all remaining staff to also accept a pay cut. AFM locals across the country are feeling the same strain; a union with a membership of our size is expensive to run even in the best of times when a fairly reliable stream of dues can be counted on to support our work. Once that money begins to run low, we are forced to examine our options.

The enormous responsibilities of administering and enforcing the agreements under which our members work is now falling to small a crew of essential personnel. Work that was

normally done by teams of people with specialized skill sets needed to be prioritized and reassigned to a core staff, while endeavoring to ensure we cover all aspects of our obligations.

Within my own areas of oversight a certain delay in administration is inevitable when staffing is down. With 802's building already closed since the middle of March, we became very concerned that our inability to process recording checks would result in a serious hardship for those relying on that income. A skeleton crew from the Recording Department volunteered to brave the virus and come in to inventory the existing checks we have been holding for musicians. They worked the telephones to report what we had on file, confirmed current mailing addresses and took credit cards for recording work dues. These payments included wages for recording jobs completed before the closure, jingle residuals, and foreign or new uses of your work. Thanks as well to members of the building staff for joining us to get the mail out and monitor the building while we worked. Please note that if you received an e-mail or call about older checks now in the local's escrow account there will be an unavoidable delay in further processing due to our emergency staffing reductions. Be assured that, once we are able, we will resume the handling

of escrow checks.

We thank those of you who expressed gratitude to the staff for this special effort. Those words of thanks encouraged us and confirmed that we were making a difference for so many now out of work and likely with dwindling resources. E-mail us with questions or to report the appearance of prior work in the broadcast media or online.

Music preparation is also of concern as there was work finished prior to the shutdown of Broadway and touring shows that needs to be processed from invoices so that copyists and orchestrators could be paid and receive health and pension contributions. With some 200 members working various music prep jobs in recent years it is a field that needs up to date attention. That work continues remotely.

Club date employers also had Single Engagement reports to file and health and pension benefit checks to deliver. We are working with them to ensure musicians in this field get their benefits contributions.

The Membership Department is able to receive dues either electronically via the Local 802 Member Portal (<https://info.local802afm.org>) or by mail. Please note that the Local 802 Executive Board, in accord with the AFM, has instituted a policy that waives penalties for the late

receipt of membership dues through June 30, 2020. Financial hardship should not force members to choose between life's essentials and staying up to date at this moment. Those of you who are able to continue to send dues will be contributing to the survival of your union. As always, reach out to me with questions about membership or other issues.

Speaking of mail to your local, know that after a month-long delay in receiving mail from members and employers we were able to pick up mail at the post office and begin to sort through it. We hope to catch up on responses and processing soon. We have also rented a post office box that will be visited once a week to stay current on the mail while the building is closed.

Our special thanks to all our members who responded to the pleas from the Emergency Relief Fund with much needed contributions. The ERF is one of the benefits of membership that you can draw upon when times are bad. If you need assistance, start at <https://erf.local802afm.org/apply>.

We continue to hope for relief from the virus and a return to work for everyone. Until that day the administration remains available to each of you as needed. Our very best wishes for your health and safety.



## VIEWS FROM THE BOARD

# HEALING OUR SOULS



**ELISE  
FRAWLEY**

Elise Frawley is a violist and a member of the Local 802 Executive Board. She has been a member of Local 802 since 2011.

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**I**T'S 6:58 P.M., and I find myself once again unpacking my viola in my living room, a world away from any backstage space I may have been in months ago. Opening a window, I gingerly angle my body over the plants on the windowsill and noodle, loudly, up and down the fingerboard. Sometimes I find myself in a one-sided competition with the trumpet player across the street, who is unaware of their musical interlocutor. Other times I try to ride the rhythmic pulses that swell from windows reflecting the last flecks of daylight, as the metallic cacophony of wooden spoons striking pots bounces off the buildings and drifts into the evening air.

The sonic display is as much a gesture of appreciation for essential workers as a collective catharsis for the rest of us. The gesture encapsulates optimism. They're the battle cries of happy warriors enduring the daily struggles of figuring out unemployment insurance while keeping looming existential dread at bay. The pandemic may be the enemy, but the greater war is against the monotony of the unknown. We've encountered acute social upheaval before, but never on this scale, and never as protracted. The weapons we've all found, musician and non-musician alike, are noisemakers; to me, therein lies the outcome of this strife once the dust has settled into normalcy. If we connected with each other,



**Every day at 7 p.m., New Yorkers do a noisy (or musical) "cheer" for hospital workers and other essential workers of the pandemic. Pictured above, in an open window on Avenue A in the East Village, an enthusiastic woman bangs on a pot with a wooden spoon..**

every night, from our isolated perches across the city as an informal ensemble, then we as musicians have a role after the pandemic subsides. Our craft has already seen New Yorkers through this slog.

Once we pick up the pieces and begin unpacking our instruments in pits, concert halls, studios and clubs again, we face a greater reckoning. As a creative class, what we do is not only essential, but fundamental to the human condition. Healthcare workers and scientists dedicate themselves to their fields not to keep people in their workplaces, but to send them to ours. It's incumbent upon us, then, to use this pause to reevaluate our professional environments. Union contracts for ensemble members have, on the whole, been beneficial in procuring unemployment benefits, even severance in some instances. On the other hand, substitute musicians and freelancers have found themselves drowning in W2 and 1099 forms between various

employers, but with little to no protections in the ensembles they serve. The self-employed musicians among us are worse off. We must use the tools at our disposal as union members, as well as develop new ones, to preserve the delicate ecosystem of our professional lives. We suffer equally as a community when a pandemic strikes and performance spaces are closed, no matter what position each of us holds. When live performance begins again, which it will, we must ensure everyone, then, can benefit equally from their work.

Management also understands our intrinsic value – after all, many of us have been approached by our employers about streaming our work across social media to keep audiences engaged. While we see the value in the higher calling of maintaining community, there is also an opportunity to take inventory of this in other aspects of our contracts with employers, to see whether our CBAs are protective of the work we do to main-

tain any particular product. Our musical input is not only intrinsic to our workplaces, but our absence causes a domino effect that ripples throughout the local economy. Restaurants, shops and real estate all suffer when they lose the gravitational pull of a neighborhood centered around music.

Each night when we honor essential workers changing shifts at hospitals, delivering food, or stocking shelves at grocery stores with whatever instruments we have on hand, it's important to remember the universality of musical expression. It acts as a reminder that, in our role as professional musicians, we can lead the way in healing the soul of the city once we've found ourselves through this trying time. When we make it out on the other side, and as bleak as it seems now, we will – our worth will be as apparent as ever, and our responsibility as union members will be to maintain, and push for, stronger protections that encompass our varied field.



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*-Michelle Kim, Assistant Concertmaster  
New York Philharmonic*

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CELEBRATING

PRIDE

*in quarantine*

By JERAME DAVIS

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**P** RIDE MONTH is typically when the LGBTQ community takes to the streets to be as visible as possible. Big cities and even small towns become awash with rainbows as we show our pride in parades and festivals. This year – on the 50th anniversary of the first Pride march – things will be very different due to the impact of the coronavirus pandemic. Already hundreds of Pride marches and festivals have been canceled or tentatively postponed until later in the year.

The pandemic has had a disproportionate impact on our community. LGBTQ folk are more likely to work in industries severely impacted by the virus, like entertainment, healthcare, travel, hospitality, education and more. That means that LGBTQ people are unemployed or at high risk of becoming infected on the job.

Our community also faced higher poverty rates than the national average before the pandemic. One in ten were unemployed *before* the pandemic and 22 percent were living at or below the poverty line. These impacts are compounded for queer people of color, women and bisexual folk.

Before the pandemic, access to healthcare was already an issue for queer workers as well, but the Trump Administration recently rolled back non-discrimination protections for LGBTQ people that were passed in the Affordable Care Act, and seems hell bent on rolling back other protections for LGBTQ people too.

In addition, any day – possibly by the time this is published – the Supreme Court will issue a ruling on two cases that will determine if discrimination against LGBTQ people is legal under Title VII of the Civil Rights Act of 1964. This will be a landmark decision for the LGBTQ community regardless of which direction it goes.

With all of this and more happening, LGBTQ folks need Pride more than ever. Pride festivals give the LGBTQ community an opportunity to come together. They are also an opportunity to push for much needed social change. Crises like the pandemic tend to reshape our society and LGBTQ folks must make our voices heard in the conversation for change.

While we won't be able to gather together in person this year in most places, there is a growing list of virtual Pride festivals and other events already in the works. On June 27th Global Pride will host a 24 hour live-streamed event in which everyone can participate. This will be an international get-together, with a list of celebrity performers and hundreds of thousands of LGBTQ folk from all over the world logging on.

And for those who feel Pride has become too corporate, the Reclaim Pride Coalition is planning a Virtual Queer Liberation March as well – free from

big dollar sponsorship and focused on fighting for political and social equality. We've also heard about a number of unions that will hold virtual Pride events as well. Pride at Work is looking to shift our annual Pride event – Celebrating Solidarity – to a virtual event as we don't want to let our annual celebration of LGBTQ union activism go by unmarked.

We don't need big splashy parades or festivals festooned with rainbows to keep the spirit of Pride alive. We just need to come together in whatever ways we can and be out, be proud and celebrate our diversity. And we won't let the Coronavirus stop us.

*Jerame Davis is the executive director of Pride At Work, an AFL-CIO constituency group representing LGBTQ union members and their allies. Pride at Work organizes mutual support between the labor movement and the LGBTQ community to further social and economic justice. See [www.PrideAtWork.org](http://www.PrideAtWork.org).*



## PRIDE MONTH 2020

# THE PRIDE WE FOUND

## *A love letter to the shows that made us*



**Jesse L. Martin and Wilson Jermaine Heredia in the original 1996 Broadway production of "Rent."**

By **ERIC AND JUSTIN MENDOZA**  
ericjustin2019@gmail.com

**A**S PROUD MEMBERS of both the theatre and LGBTQ communities, my husband Justin and I have come to realize how truly symbiotic those two groups are for us. As it did for many, theatre was the first to introduce us to gay characters with their celebrated storylines and songs. More importantly, it gave us a portrait of gay artists and storytellers who helped bring these shows to life. But it did something else. Theatre quietly instilled hints of self-discovery and identity while building a sense of strength and empowerment within us. It demonstrated the actual possibilities of joy, love and family. Our younger selves didn't have a word for it yet, but theatre brought about our first genuine feelings of Pride.

Justin and I have been together

for over two and a half years and last October we officially tied the knot in an intimate ceremony among family members and close friends. And in the months leading up to our marriage, we remained ever cognizant of the incredible burdens and responsibilities that so many pioneering gay men and women, allies, activists and politicians had to bear in order for us to stand there together. But we also revelled in the shows and songs that shaped us as individuals, bonded us as a couple and reminded us of the powerful impact theatre had while growing up gay.

On our first date, sitting on a park bench in Columbus Circle, we found that we shared a deep and rather unabashed love for Jonathan Larson's groundbreaking musical "Rent." It was the first time either of us had ever seen a drag queen. It was the first time we'd seen two men dance together, fall in love, kiss and be applauded for it. LGBTQ themes were not only on display, they were celebrated. Similarly, as budding musicians who longed for a life in New York, what better way to be inspired than by seeing a show set in that very city featuring an entire band on stage! We couldn't help but envision ourselves in that conductor's chair. "Rent" merged our musical aspirations and our paths to finding our personal identities all at the same time.

Other shows continued to shed positive light on a world we were curious about. From the closeted puppets of "Avenue Q" to the celebrated portrayals of non-traditional families in "Falsettos," we craved more shows that seemed to speak directly to us. Some of them became the guidebooks to our future selves and we are now grateful to be conducting and working professionally



**Justin and Eric Mendoza**

in the theatre. We are extraordinarily proud to be alongside such incredible shows like "Kinky Boots," "Fun Home" and "The Prom" as they continue to provide role models for this and future generations of artists and musicians who will discover the pride and inspiration to live their truth just as we have.

Like many others during the Broadway shutdown, Justin and I have more time to reassess what is truly important. The theatre community has given us the drive to succeed in this city, the encouragement to work hard and the role models whose steps we follow. It has provided us with the most accepting allies, colleagues and friends. Most importantly, it allowed our separate journeys to merge. We now must draw on all we have learned in

order to stay positive and move forward, particularly in light of our industry's current state. For us, that includes continuing to embark on another journey toward growing our own family through adoption. We delight in knowing there will always be new musicals with stories and colorful characters, words and music that will encourage our child (or children!) to dance, sing and proudly tell their own stories.

*Husbands Eric and Justin Mendoza are proud Local 802 members. Eric currently works as a pianist and conductor for "Come From Away" and Justin is the music director and conductor for the Broadway production of "The Book of Mormon."*

## PRIDE MONTH 2020

# MY STORY

By KRISTY NORTER  
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**W**HEN ALLEGRO APPROACHED me and asked if I'd be interested in writing an article for Pride Month, I'll be honest, I was hesitant. Many of the feelings that I've worked hard to put away came creeping back into the forefront of my mind. This may be surprising for my friends and colleagues who know me to find out, but I feel I've only been completely "out" in the last 10 years. Writing about my truth on a public forum still seems terrifying as this will forever be available with a simple Google search of my name. I feel afraid, all over again, of not being able to control the narrative, of people making hasty judgments about me, and most importantly of it affecting future work opportunities. Please don't misunderstand! The vast majority of my experience in NYC, especially within the music industry, has been tremendously supportive, but those scars from growing up afraid of my secret getting out don't ever fully heal.

When I first moved to NYC and began a freelance career, I had been dating my partner, Katie, for four years. We met in college, my undergraduate senior year. We've been together now for 26 years. My life and level of openness about my personal life have grown in tandem with our relationship. Over a quarter of a century we have raised a daughter, gone through four cars, two dogs, a cat – and we've purchased a home. Through all of this, Katie has been my rock. The level of dedication, hard work, and sacrifices to making a living as a freelance musician is...well...you all already know that. What made it harder for us in the first 10 years was my reluctance to share my private life with colleagues. It was an internal struggle: do I tell people the truth knowing it might affect whether or not I'm hired, or do I live two lives and work to keep my personal life shuttered? I didn't feel I could be as open and hon-

est as others when turning down a gig. I didn't feel safe saying simple things like "I can't because it's my wife's birthday".

Having our daughter 16 years ago pushed me further into the open. I realized I couldn't raise a healthy child if I were hiding myself. So I started to share. One of the strongest memories I have of that time was while subbing at Radio City. A colleague in the woodwind section was pregnant and due in January. I took a chance and shared with her that we were also expecting in May. I hadn't ever actually told her I was gay. She couldn't have been more supportive. Her kindness and excitement for me was something I had never envisioned for myself. I still tear up thinking about it today. My circle of trusted people was finally getting bigger. We are still close friends to this day. Sadly, I was still reluctant to share with others. That was my insecurity, my fear, the internal struggle again. I can't help wondering what I've missed in my life because of that fear. I didn't give people the chance to accept me out of fear of rejection. It was better not to know.

Being gay means having an invisible identity. That means I have the privilege of deciding whether or not to put myself in the position of being a minority to other people. Some refer to this as "passing." In the past, I acted, dressed, and reacted in a more cautious manner. People could assume what they wanted but I maintained a "don't ask don't tell" mentality. This was my choice back then because I didn't see any other options. It was hard enough being the only female musician in many of the scenes I was working. I didn't want to add another layer of being different. I should mention that choosing to keep my true self invisible was painful in the long run. Slowly that has changed for me, and with it I have found true inner peace. I'm more open than I should be sometimes, a nod to my desire to never go back to hiding my true self. What you see is what you get, and I think my



Local 802 member Kristy Norter with daughter Maggie, circa 2006.

Home Depot-loving, plaid flannel shirt-wearing self is pretty accurate.

When asked to write this assignment I was given two suggestions. I could write about LGBTQIA topics (history, activism, laws) or I could write something personal. My reason for writing my personal journey is simple. I didn't have many visible role models who were lesbians in the Broadway community. I need to step outside of myself and be that for others. A year ago, a younger, gay male colleague spoke very sweetly to me about how much he admired me

being so comfortable with my sexuality in our work scene. I laughed. I guess they never need to see how hard the journey was, just that you arrived at your destination. I did actually share my journey with him as I am sharing it with others now. It does help to know you're not alone. Lastly, to all of those wonderful allies out there who make people like me feel safe, I love you too.

*Woodwind doubler Kristy Norter has been a member of Local 802 since 1999.*



# #802PRIDE2020

By JESSE KISSEL

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**P** RIDE MONTH in NYC is my favorite month of the year. Rainbow flags and bunting strewn over storefronts, apartment windows, and cabs. Tourists and residents buzzing around the densest city in the world beaming with pride and love for our fellow citizens (whether gay or straight). There's a euphoric sense of acceptance that exists here as we celebrate our people, and look back on the struggles of our brothers and sisters that fought for equal rights.

Because of Covid-19, this year's Pride parades have sadly been canceled so we can protect ourselves from spreading the virus in large groups. While it's still unclear what quarantine restrictions will be lifted by June, it's clear that Pride in NYC will have to be celebrated in a different way. When Mayor DeBlasio announced canceling the festivities, he said, "New York City is the birthplace of the modern LGBTQ rights movement. We've come a long way since the first Christopher Street Liberation Day March 50 years ago, which is a testament to the bravery and resiliency of LGBTIA+ New Yorkers in the struggle for equality. While this pandemic prevents us from coming together to march, it will in no way stop us from celebrating the indelible contributions that the LGBTIA+ community has made to New York City or from recommitting ourselves to the fight for equal rights."

In the new mostly virtual world we live in, celebrating Pride together while being socially distant will be challenging. There are plans for a virtual 24-hour Global Pride event on June 27 that "will show the LGBTQIA+ movement for the very best it can be, showing solidarity at a time when so many of us are mourning and strength when so many of us



Local 802 member Jesse Kissel

are feeling isolated and lonely," Kristine Garina, president of the European Pride Organizers Association, said in a press release. "Above all, we will show our resilience and determination that Pride will be back bigger and stronger than ever before."

I'm not entirely sure what a "virtual Pride" will look like, but I've found solace during this horrific pandemic on social media where we have been able to come together and connect virtually about the loss and fear we all have been experiencing. Before Covid-19, I found an important Instagram account which is a living memory of the lives lost from HIV/AIDS. @theaidsmemorial lets survivors post photos and stories about their loved ones, and it's an opportunity for people around the world to experience their pride and grieve with them. I try and read and "like" the daily posts as often as possible so I can educate myself about the experience of my brothers and sisters who fought and died for a better life, not just for themselves, but for future generations of LGBTQIA+ people. We will be eternally grateful to them for it.

The @theaidsmemorial account also raises funding and awareness for SAGE USA, an advocacy and services organization for LGBT Elders, as well as the Au-

dre Lorde Project, whose programs and initiatives are led by lesbians and queer women, trans and gender non-conforming people, intersex people, and people of color.

Life in upstate New York as a gay young teenager was tough. There were no role models or out gay people to look up to, help me sort out what exactly was different about me. There were no gay proms or homecoming kings to emulate, let alone a visible gay relationship to aspire to.

Theatre and music were always my escape from reality. Characters like Molina in "Kiss of the Spider Woman," with a book by Terrence McNally, music by John Kander and lyrics by Fred Ebb, taught me that it really was O.K. to be different. Molina's mother accepted him for who he was, and mine would too when I was ready to tell her the truth. The power of fantasy and the ability to escape a difficult reality in the closet were godsend for me as a teenager, and I thank Terrence for that. We lost him in March to Covid-19 – he was a giant in our industry, and I'm grateful to have worked with him on the Broadway production of "The Visit." I'm forever indebted to him for his ability to give us all hope.

In his 2019 Tony Lifetime Achievement Award acceptance speech, Terrence said, "I love it when I remember theatre changes hearts. That secret place where we all truly live."

At the height of the AIDS epidemic, our LGBTQIA+ writers, designers, actors, stage managers, stage hands, music directors, and musicians rose above HIV/AIDS, sometimes dying of the disease itself while creating art. Their sacrifice and perseverance are the reason Broadway has been able to become the billion dollar industry it is today. It's a gift from a generation that overcame hardship and struggle while a virus ate away at its family.

Some of the iconic musicals created

during the AIDS crisis on Broadway were the original versions of "Les Miserables," "Cats," "Evita," "Into The Woods," "Sweeney Todd," "Sunday In The Park With George," "A Chorus Line," "La Cage Aux Folles," "Dreamgirls," "Kiss Of The Spider Woman," "Zorba" and "42nd Street." They are a living example of the potential for an artistic rebirth both during and after an epidemic.

With Broadway indefinitely dark, there's little chance of actors and musicians performing together in the same room for the foreseeable future. One of the only things that gives me hope is that we've been through something like this before and we can weather the storm again.

In honor of Pride 2020 in New York City, I want to propose the creation of a Local 802 LGBTQIA+ committee that is focused on highlighting better representation and visibility of our issues both to Local 802 members and the Broadway community at large. We deserve to create a space where members feel open to communicate about their concerns without retribution and can properly promote fair hiring. LGBTQIA+ musicians should never be discriminated against.

If this is something you'd be interested in participating in, please send an e-mail to [local802pride2020@gmail.com](mailto:local802pride2020@gmail.com) to get more information about virtual meetings while we are all socially distancing. For the month of June (and on Pride Day itself on June 27), I'm also proposing the use of #802pride2020 on all social media platforms as a way to virtually celebrate pride together with LGBTQIA+ members and our allies! It will be a great opportunity to share photos and videos of how we are all celebrating Pride in our own way!

*Jesse Kissel, a member of Local 802 since 2010, is a pianist and conductor.*

# SUPPORTING MUSICIANS DURING TENUOUS TIMES

- Residuals were issued to musicians on May 22 from the Film Musicians Secondary Markets Fund
- Please check the unclaimed residuals list at [www.fmsmf.org/unclaimedchecks](http://www.fmsmf.org/unclaimedchecks) to see if you or any of your colleagues have unclaimed residuals.
- Contact the fund at [participantservices@fmsmf.org](mailto:participantservices@fmsmf.org)

By KIM ROBERTS HEDGPETH

**A** S I WRITE this, the nation has lived through almost two months of tragedy and disruption. Those of us with roots in New York watch from afar with both pain and pride to see New Yorkers rising to stand strong, smart and united as role models for the rest of the country. And, at a time when many Americans have turned to entertainment to ease the anxieties caused by the current pandemic, the artists who create the entertainment that is soothing America's soul have seen their livelihoods vanish in the blink of an eye.

Even before California issued its formal "shelter in place" orders, the Film Musicians Secondary Markets Fund was tracking the rolling shutdown of production and recognized that as production ground to a halt, so would session work for musicians working in film and TV. The fund shifted its focus to accelerating its annual July distribution in order to get residuals to musicians

as soon as possible. A skeleton crew worked through late March and April to finish out the 2020 fiscal year and prepare for the fund's distribution. The effort was helped by the fact that the fund is exempt from state and city closure orders, so some employees could continue in office. (Although exempt from closure, in an abundance of caution, fund management arranged for most employees to remain out of the office until we could fully research and implement recommended hygiene and distancing protocols).

We are pleased to report the fund's distribution was issued on May 22, rather than July 1, more than a month early. The millions of dollars that will be sent to musicians and their beneficiaries in this early 2020 annual distribution will hopefully serve as a critical lifeline to ease some of the stressors on the community of professional film and TV scoring musicians at this difficult time.

However, accomplishing this unprecedented – and one-time – acceleration of the fund's annual distribution was not without cost. In order to have any chance of getting the larger distribution processed early, work on the relatively smaller Live Television Videotape Sub-fund was temporarily deferred. This will require redoubled efforts in order to distribute Live Television Videotape Sub-fund residuals by the July 1 deadline. In addition, the Film Musicians Secondary Market Fund temporarily deferred processing unclaimed residuals and beneficiary claims, which has created a backlog of requests. But consistent with its commitment to its participants, the fund will leave no stone unturned to move forward and accomplish this work post haste.

## Keeping eyes on the road ahead

Fiscal year 2020 collections came in slightly below fiscal year 2019, with over \$114 million collected in fiscal year

2020 as compared to \$115.7 million in fiscal year 2019.

The question remains whether this slight dip in collections is a temporary blip, or the harbinger of a trend. The steady growth in residuals collected by the Film Musicians Secondary Market Fund between 2010 and 2019 has been driven by two key factors: increased compliance activity by the fund to recover residuals not voluntarily paid by companies and primarily by the rapid growth in residuals from secondary release of theatrical motion pictures and TV programs into digital platforms such as streaming video on demand.

The shutdown of production and closure of movie theaters has accelerated the shift by companies to invest more in content made directly for digital streaming services. The pandemic has also incentivized companies to promote heavily in the rollout of their own digital streaming services that can retain exclusive rights to both their made-for-streaming content and digital release of their existing libraries of theatrical films and TV programs. These changes in the business paradigm would have a significant impact on musicians' residuals in the future in any event, but the pandemic has accelerated these trends faster than anyone could have anticipated. As a result, the question of whether terms in the AFM theatrical and TV agreements governing made for "new media" content will be updated in the 2021 negotiations to ensure musicians employed on content made for streaming services receive residuals, when such content continues to run on such services, becomes an even more pressing question.

Although the Film Musicians Secondary Market Fund does not participate in the negotiations between the AFM and the AMPTP, the outcome of the 2021 theatrical and TV contract negotiations and the impact of the pandemic-driven

accelerated changes in the industry's business models will be watched closely by the Film Musicians Secondary Market Fund, and should be of keen interest to every recording musician.

## Keep up to date

Please make sure that your beneficiary information is up to date with the Film Musicians Secondary Market Fund. In recognition of the difficulties for musicians in finding notary services in the current environment, until further notice, the fund will accept non-notarized beneficiary designation forms so long as valid proof of government-issued identification such as a driver's license or passport is provided. You can find more information about the fund's beneficiary policies at [www.fmsmf.org/beneficiary](http://www.fmsmf.org/beneficiary) or e-mail us at [participantservices@fmsmf.org](mailto:participantservices@fmsmf.org) with questions.

The Film Musicians Secondary Market Fund is committed to providing prompt and courteous service to participants throughout these challenging times. Please note that responses to correspondence sent to us by U.S. mail may be delayed. The best way to reach us is to send your questions or concerns via e-mail to [participantservices@fmsmf.org](mailto:participantservices@fmsmf.org). And please visit our website at [www.fmsmf.org](http://www.fmsmf.org) and our Facebook page at [www.facebook.com/filmmusicresiduals](https://www.facebook.com/filmmusicresiduals) for updates on fund information.

On behalf of the fund, we extend our sincere wishes to all Local 802 members and their families to remain safe, healthy and in good spirits. We are here to support you, and stand united with the community of professional musicians as we navigate the times ahead.

*Kim Roberts Hedgpeth is the executive director of the Film Musicians Secondary Markets Fund. Contact the fund at [participantservices@fmsmf.org](mailto:participantservices@fmsmf.org).*



# MAKING VIDEOS UNDER QUARANTINE?

## *How to protect yourself and your fellow musicians*

By **ANDY SCHWARTZ**

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**V**IDEO PERFORMANCES CREATED from home are the fastest-growing response from musicians to the COVID-19 pandemic, offering everything from emotional support to our colleagues and a sharing of our talents, to benefit performances for charities serving our members or the community at large. We at Local 802 applaud all our members who seek to use their talents to provide uplifting music online during this terrible moment in our lives.

Let's take a look at some of the scenarios in which you may participate in a live or pre-recorded video of your music.

Many of these videos are of solo performances. Some are videos of ensembles captured by Zoom or other video-conferencing applications before being edited for streaming on social media. Facebook Live is one popular platform for streaming out live performances. As you may know, all electronic media is overseen by the AFM and we as local officers rely on our parent union to set the standards for recording work.

Per the AFM, solo performances posted on social media do not require the filing of an electronic media agreement as there is no "employer" hiring you for your services. If you do want the protections of an AFM agreement as a solo performer, it's easy to file an AFM Joint Venture agreement that does not initially require any payments of wages or benefits until the work receives commercial distribution of some kind. These agreements are filed with your local; for more information, send me an e-mail at [Aschwartz@Local802afm.org](mailto:Aschwartz@Local802afm.org).

It becomes more a little more complicated when you approach someone, or someone else approaches you, to work on an online project. The nature of the project is a key factor in assessing how to best get the work covered under a union agreement. Will this be a brand-new video of your performance in synch

with other musicians -- or is it a previously recorded group performance that is now being released online? Is the purpose to raise money for a charitable organization that directly benefits our members like the Local 802 Emergency Relief Fund (for example, see our own videos at <https://erf.local802afm.org>), Broadway Cares/Equity Fights Aids or Actors Fund of America? Perhaps the performance is by an orchestra or an ensemble that is already covered under a collective bargaining agreement and is hoping to remain connected with its audience during the pandemic. Or, is this a commercial distribution, intended to be profit-making? For example, if the video is posted on YouTube with advertising enabled, then this would likely fall into the realm of a for-profit enterprise and cannot be thought of as purely charitable in nature. Knowing the facts on a performance offer and what the intended usages will be is the first step in protecting yourself.

Some classical orchestras are covered under an AFM Integrated Media Agreement that covers many of the needs of the organization in the electronic media milieu. That IMA does not necessarily cover all the potential usages and so that becomes a matter of contract interpretation and is handled by AFM's Symphonic Services Division. Other ensembles' employers may have no other language in their AFM agreements other than the requirement that any recording will be covered under the appropriate AFM recording contract. If you are producing a video on behalf of a classical ensemble, please e-mail Local 802 Financial Vice President Karen Fisher before proceeding. She may refer you to the AFM.

So how do we proceed when a call comes in to work on a streamed project? If we are being asked to work without a professional level of compensation, or without scale wages with health and pension benefits, the clarifying questions need to be put to the person calling you. At this time, all requests for videos of ensemble performances are



handled on a case-by-case basis at the AFM. While some may think that making such a request will slow down the process of releasing a video or streaming live, the AFM has been able to quickly respond to these inquiries with both helpful information and with agreements that are custom-fit to enable the show to go on. You can start with me, and I'll be able to refer you to the appropriate person at the AFM if necessary.

Regardless of the scenario, it pays to contact your local to find out how the specific streaming performance should be covered and if your work will be fully protected. It's often tempting to look at these videos as something to do to maintain our creative connections or contractor relationships. Without an agreement, however, the result may be losing your control of the final product and then

hearing or seeing your work online or elsewhere, monetized by others without recourse. Let's come together and face this pandemic with all our musical resources -- but let's also be smart about maintaining our right to professional working terms and conditions when those are due us.

If you're a Local 802 member who has questions about creating a video project, you can start with the Local 802 Electronic Media Department. Contact me at [Aschwartz@Local802afm.org](mailto:Aschwartz@Local802afm.org)

*Andy Schwartz is the recording vice president of Local 802 and the supervisor of Local 802's Electronic Media Project. See the fundraising campaign of the Emergency Relief Fund at <https://erf.local802afm.org>.*

# HELPING MEMBERS WITH TECH

Confined to our homes, musicians are turning to new solutions to work, create, teach, record, collaborate and perform. Many of us are suddenly having to learn and develop new technologies and methods. Local 802 and our Electronic Music Committee have been providing technical support to musicians on a range of topics including home recording software, audio hardware, and optimizing audio for conferencing and teaching. To help you navigate evolving technologies, we've built a Tech Support Portal in our new website. You may also request a free personal consultation. Start at <https://emc.local802afm.org>

The Electronic Music Committee has received an incredible influx of volunteers to assist in the Electronic Music Center's efforts. If you are a music technology expert or have discovered solutions for remote work, we'd love to hear from you at [electronicmusiccommittee@gmail.com](mailto:electronicmusiccommittee@gmail.com). Thank you to all of the volunteers who have reached out so far!

The Electronic Music Committee was formed as a think tank to examine the usage of electronics on Broadway. The EMC consists of industry professionals representing a wide cross-section of the Broadway community, including music directors, orchestrators, composers, programmers and instrumentalists. The EMC now collects data on current issues regarding electronics and discusses the future of how electronics relates to the lives of all musicians, both in the theatre and more broadly. All Local 802 members are welcome and encouraged to contribute to the conversation.

# TECH FAQ'S

## from the Electronic Music Commiteeee

### What are the best platforms for teaching online?

Popular video conferencing options for lessons include Zoom, Skype, Blue Jeans and FaceTime. If you are teaching a solo instrumentalist or vocalist, any will probably work comparably. If you need to share computer system audio or your computer screen, Zoom allows you to select custom audio inputs and share video elements easily. Loopback allows flexible audio routing between software on a Mac. Get in touch and we would be happy to walk you through your setup. Contact us at <https://emc.local802afm.org>.

### What are good ways to perform a concert live?

If you are going to livestream from a mobile device (say through Facebook live or Instagram), your audio quality may be limited by the hardware of your device. If you want to use a better microphone or any other computer based tools, effects, etc., consider something like Open Broadcaster Software, or Streamlabs so that you can make custom audio and video setups, which you can then send to a streaming host such as Youtube, Twitch.tv, Facebook, etc.

### How can I stream recording or video media?

If you want to stream pre-recorded material (like an album release or an archive of a performance), you may consider something like Mixlr, which allows you to create a playlist of files in a set, as well as a microphone input and an easy-to-navigate mixer interface.

### How can I produce a recording collaboratively?

If you have collaborators who are isolated, you can create a recording by overdubbing. One person starts a recording and sends to another and you can layer parts on top to mix together to create a performance. This method has been used for years. You need a Digital Audio Workstation (ProTools, Logic, Ableton Live, etc.), which is a software program that runs on a desktop computer, and allows the combination of audio recordings, software instruments, and effects. A typical setup might include an audio interface, a microphone and preamp, and a MIDI controller/keyboard. Most DAWs allow projects to be saved in a folder that can synchronize easily over Dropbox, allowing people to collaborate with the most up-to-date files quickly. Dropbox acts as a server, instantly updating projects in real time. If you'd like help with choosing a DAW, please feel free to reach out! Contact us at <https://emc.local802afm.org>. If you're looking for a more casual and economical solution, Acapella is an iOS app that is flexible and also allows you to record video. In order to synchronize separate performances, each performer needs to work with a common time reference. A DAW will allow you to create a guide track and program the metronome (or click track) based on your music.

### I need to record my instrument from home. What equipment do I need?

OPTION 1: microphone and interface. If you have the resources, this is the best option for recording into a computer, via a DAW as mentioned above. Some of our favorite microphones include: Shure SM58 (iconic, durable, and affordable), Shure SM7b (high quality older sibling of the SM58, excellent for vocals and instruments), Neumann TLM 102 large-diaphragm condenser microphone (high quality condenser microphone for vocals and instruments). Our favorite interfaces are the Universal Audio Arrow or Apollo Twin (which give you access to UAD DSP plug-ins and their new LUNA recording software) and the Focusrite Scarlett line of USB interfaces (extremely durable and affordable).

OPTION 2: USB microphone. A USB microphone is a microphone with built-in digital-to-analog conversion, obviating the need for an interface. This convenience may come at a compromise in quality. However, there are a wide range of options including the Apogee Hype Mic and Mic+ (both for use with Mac and iOS devices). Contact us for more info about USB mic options.

OPTION 3: stand-alone recorder. If you want to record without the use of a computer or an iOS device, you may consider a stand-alone recorder such as the Zoom field recording line. Another option is the Izotope Spire Studio, which offers all-in-one wireless multitrack recording.

### What are ways to rehearse online?

The challenges to rehearsing remotely are significant. All digital conferencing platforms will involve some amount of delay (latency) between participants, which is obviously a challenge for rehearsing anything with rhythmic precision. If you have found any solutions for your ensemble, please let us know! Contact us at <https://emc.local802afm.org>

### Is the work I'm doing covered by a union contract? Can I contribute benefit payments?

If you would like to better understand how a new type of project relates to a union contract, please contact Local 802 Recording Vice President Andy Schwartz, who oversees the union's Electronic Media Department. Contact him at [Aschwartz@Local802afm.org](mailto:Aschwartz@Local802afm.org). For solo performance or private teaching, you may consider the union's LS-1 contract. Sometimes overlooked, the LS-1 allows employers to make health or pension contributions to you on small jobs or single engagements, including music lessons and other teaching work. For more information on the LS-1, e-mail Andy Schwartz at [Aschwartz@Local802afm.org](mailto:Aschwartz@Local802afm.org).

For more information about the **Local 802 health plans**, visit [www.Local802afm.org/local-802-healthcare](http://www.Local802afm.org/local-802-healthcare). For more information about **pension**, visit [www.afm-epf.org](http://www.afm-epf.org).

If you are concerned about doing work that is not typically covered under contract, (for example, being your own studio engineer!), please get in touch for consultation. Start at <https://emc.local802afm.org>.



# 'SO, YOU WANNA SUB ON BROADWAY?'

By KRISTY NORTER  
Knorter@gmail.com

*Recently I was asked by Georgia Stitt to host a virtual workshop for Maestra. This article is a synopsis of the material I covered.*

**S**O, YOU WANNA SUB on Broadway, huh? New York City is one of the few places in the world a musician can make a living subbing on shows. I've had the privilege of subbing on over 40 shows in my 20 years as a freelance musician. I've also had the privilege of being the chairholder of multiple shows on Broadway, Off Broadway, at Radio City, the Paper Mill Playhouse and the Big Apple Circus.

There are a limited number of shows and chairs, which means there are a limited number of opportunities for people to break into the scene as a sub. I do not intend for that statement to be discouraging! Rather, I hope it brings focus and drive to the people who truly want to thrive. Subbing is not for the faint of heart. It is a stressful, underappreciated and highly competitive endeavor (and those are the positive qualities). In most situations, chairholders are bound by the CBA to only use a certain number of subs. The most often asked question I hear regarding subbing is: "How do I

break in?" I certainly don't hold all the answers but perhaps I can shed some insight.

## Getting the gig

I personally take the approach to rarely ask people directly for work. That doesn't mean I don't network or drop hints. Some people like to send "cold call" e-mails. If it works for you, great! I will say that I tend to only hire people I know or who are recommended by a colleague I trust. An e-mail to me to introduce yourself isn't a bad idea but I won't hire a person just because they say they want to work for me.

In my first year in NYC, I wanted to break into multiple scenes and didn't understand the multiple types of contractors. My first job working for a club date office was for Peter Duchin. I was hired by one of his bandleaders who identified himself as a contractor. My assumption was that contractors were the people who hired for club dates so I did the logical thing (in my mind) and contacted 802 for a list of contractors. Then I made a little demo of myself (on cassette tape!) playing songs that included "In the Mood," "Moonglow," "Hot Stuff" and...wait for it..."Just the Way You Are." Then I made copies of the tapes (old school!), slapped on labels with my name and phone number,

bought and addressed a bunch of padded envelopes,, and sent out my demo waiting for the calls to flood in. Crickets.... crickets. I should point out that the list of contractors, in hindsight, included all of the Broadway music coordinators so... yeah... I hope John Miller noticed I made sure to play the correct line for the second chorus of "I Will Survive." My mistake in this process was not understanding how the scene actually worked. Asking a more experienced player for advice would have been the smarter route.

The first show I ever subbed on Broadway was for Ken Hitchcock on "Chicago." How did I get there? Luck, timing and a mutual friend. Our mutual friend suggested I reach out to Ken and just ask to shadow him one day. I very politely reached out and did just that. I made it a point to say immediately "I'm not bugging you for work! I just want to learn." He was sweet and at intermission of the show he asked what I thought. I answered him honestly about my skills. I said all of the saxophone parts were fine, the clarinet passages were doable with some practice with a metronome, and I had swing experience. I also had to be honest with myself. Could I reasonably learn or perfect this part within a few weeks or was I agreeing to something that was too far of a reach? His

response: "Well, four of my subs just got their own shows, so if you want a chance, I'll give you one show."

Food for thought: Put yourself in the chairholder's shoes. They frequently get asked by people to be added to the sub list. In my experience it can put people into uncomfortable situations. The best thing you can do is be visible, be friendly and avoid creating awkwardness. Another colleague once said "I get more gigs running into someone on the street and asking about their family than directly asking for work." Why? Because most of the time it's nothing personal, the chairholder just needs a reminder that you're around. If they need a sub, that's all it takes. If they don't need a sub and you directly ask for work, they may feel awkward having to say no.

## Preparing for the gig

You did it, you got somebody to take a chance on you! Now what? A colleague once told me, "They never have to know how long it took you to learn it, they just hear the end result." There is no such thing as being too prepared when subbing. Also understand that every interaction you have with the chairholder is part of your job interview process. Too many talented musicians have lost out on future work because they don't understand the business side of things:

**“ Here’s how NOT to get the gig: show up late to your first shadowing night, wear the wrong thing, look bored, spend the entire night texting on your phone instead of watching the conductor, and so on... ”**

● Be on time not “just in time.” (This means *get there early*, especially for your first few shows)

● Be prepared

● Be low maintenance. (If you have questions, try to answer them yourself with a quick Google search or a few extra minutes with the conductor video. Requiring too much handholding will prevent a chairholder from trusting you completely.)

● Answer texts and e-mails professionally and in a timely fashion.

● Dress appropriately (even when shadowing). If the show requires all-black clothing, don’t wear white sneakers, really faded black jeans or a dark blue shirt. You are proving you can follow directions and pay attention to details. This is important to gain the trust of everyone at the show.

How important is all of this? Well, I’ve seen and heard of people being cut from a sub list after the first night they showed up just to shadow a book. This is extreme and rare but it shows what can happen when people don’t fully understand how to act professionally. Example: the person showed up late, wore the wrong thing, looked bored, spent the entire show texting on their phone instead of watching the conductor, and so on.

Treat the book like a transcription. This is not the time to show off your amazing skills. The music director, section mates, actors and even the crew are relying on and expecting the show to sound the same every time. Live with the sound recording of the show. Play along as much as possible. Learn the vocal cues – spoken or sung – that lead

to MD cues. It should feel like you’ve played the show for a month by the time you sit in the chair.

## Communication

Most gigs are now hired through e-mail or texts. On the one hand, I really enjoy the quick access that texting gives me. On the other hand, it can sometimes be too informal for proper professional behavior. Every communication I send to hire someone will include the date of the show (including what day of the week the show takes place, i.e. Tuesday, Wednesday, etc.) and the time of the show. This is extremely important, as it is now a written record of our exchange in case of any misunderstandings. This protects me, and more importantly protects the show. I prefer responses with actual words. Another colleague joked with me recently about how some subs send back emojis in response to offering a gig. Nope! Honestly, I don’t even like the “thumbs up” emoji to a direct question. It doesn’t give me a definitive response. Are you “liking” that I asked you about a gig or “liking” that you can do it? How would I defend this to my supervisor in the event of a no show. (Well, my sub had told me she “liked” my offer of employment, but never showed up? Hmmm...). And the rocket ship emoji is never a good response to offerings of work. ☺

## First show

Try to relax. You’ve done your homework and now it’s time to show your capabilities. Warm up and tune responsibly. Don’t play that one hard passage

at forte-fortissimo 83 times before the show starts. Warm up enough, and do it respectfully of the others around you. Be a good neighbor and be aware of your impact. Put your cases out of the way, don’t move things around, be mindful of chair placement, and use campsite rules! In other words, leave the area the way you found it. Pick up after yourself.

You will make a few mistakes – everyone does. The trick is to not get bogged down worrying about what you did. Move forward and don’t dwell on things. That can only lead to more mental mistakes. When you do make a mistake, there is no need to apologize. Trust me: unless you’ve done something really egregious, don’t run up to the MD at intermission and lay down a sob story list of everything you did wrong, pleading for forgiveness. A good MD knows the difference between an honest slip and someone being unprepared. They will have no issue with the occasional honest mistake. Also, don’t solicit opinions of the other musicians. It’s not their job to tell you what to do. The only exception I would make to this would be asking about volume. It’s hard to gauge that on a recording. As a chairholder, when a new sub is sitting in a section next to me, my goal is to be friendly and supportive no matter what. My job is to make them feel safe and comfortable. It’s the MD’s job to give them feedback.

After the show, respond to any notes from the MD with a simple smile and “thank you.” No need to give an extended story about why you played an F instead of an F#. Fight the urge to make excuses. It’s not necessary. Take

the feedback and apply it to the next show. Send a quick thank-you to the chairholder saying everything went fine.

## Social media

First of all, you are a guest when you sub on a show. Whenever you post on social media about subbing on a show, you are putting the chairholder’s business out in public. It makes me feel uncomfortable to have someone else talk about my business without my knowledge or permission on social media and I know I am not alone in that feeling. It’s nobody’s business who subs for me, how often and when. I have asked subs to refrain from posting about subbing for me. I would invite you to consider the impact of social media posts about subbing. It’s perfectly natural to want people to know you’re succeeding in this business, but that can backfire rather quickly.

If you’re still reading this and determined to continue down this path, I applaud you! (Sucker!)

To reiterate:

● Put yourself in the chairholder’s shoes

● Use professionally worded communication

● Be low maintenance

● Protect the chair

● Be honest about your skills to yourself and others

● Be a good neighbor

● Be sincere

Best of luck! See you in the pits!

Woodwind doubler Kristy Norter has been a member of Local 802 since 1999.

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## THE MUSICIANS' VOICE

# QUARANTINE INSPIRES ART

**L**AST YEAR, I bought yet another instrument: a 2013 Fender five-string American Standard Jazz Bass. Equipped with Custom Shop pickups, it's become my number-one bass. However, I was never crazy about the instrument's appearance. The blue body is O.K. But it came with this dull, plain, off-white pickguard, on which could be seen a shadowy imprint of where a store's sticker had once been. I was going to buy a tortoise shell replacement. Then I thought, let me ask my 11-year-old daughter Elena if she could paint something on the original pickguard. By all objective accounts, she is a very good artist. From the moment she was able to hold a crayon she never stopped liking to express herself through drawing and color. Of course, I'm her greatest fan.

She said yes to the project but it lay dormant for months (11-year olds are very busy people).

Then came the coronavirus pandemic. Though in daily "virtual school," she nevertheless had more time to devote to back-burner affairs.

After I traced some templates of the "canvas" on paper, she was ready to begin working. I told her I wanted the painting to have a lot of movement, and her ideas began to flow.

She did a few colored pencil versions on the templates and I chose one that blew me away. Once we chose paints that best matched the pencil colors she had used, she summarily began the detailed painting that would become the final product.

I'm thrilled with the result. And as a commissioned work, she was paid well for her artistry. Now if I only had a gig where I can enjoy playing the instrument and praise Elena's talent at the same time. I look forward to that day!

— Ken Rizzo



Local 802 member Ken Rizzo's daughter Elena customized her father's favorite bass with original artwork

# Trying to understand the cutbacks at Local 802 and what they mean for staff

**O**N APRIL 20, the membership was sent an e-mail informing us of the need to reduce expenses at 802. Actions taken included putting a large number of the 802 staff on emergency leave.

Although I asked a couple of questions, I never received a response and am forwarding my query to the membership at large. I would like to know if the staff that has been laid off will continue to get health care coverage, something they need now more than ever. Are there any guarantees about rehiring them when life returns to "normal"? As a union, our first priority should be workers, whether they are members of 802 or our employees.

My other question that went unanswered concerns whether the executives at 802 have taken a reduction in pay to help alleviate the financial stress on the union. Although I am sure they are all working hard during this difficult time, a percentage decrease in executive salaries is very common, particularly when other employees are losing their entire incomes.

Thank you very much and best wishes to all,

— Laura Conwesser

**Local 802 responds:** The union has been forced to take the unprecedented step of placing nearly 75 percent of our staff on emergency leave to conserve our members' resources. This step was taken as a last resort and with much deliberation and regret as we not only work with our staff but consider them part of the 802 family. While we continue to employ some people on a part-time basis to process recording checks, the revenue is nowhere near enough to maintain the union at full staffing. In the coming months we will be facing nearly zero income. It is not fiscally responsible nor could we in good conscience continue to keep employees on the payroll with nothing to do while our entire membership is unemployed.

We recognize the necessity of health insurance at this difficult time and the employees who have been placed on leave will continue to receive health benefits as long as it is practicable to do so. Additionally, recognizing the gravity of the situation, the officers, including the Executive Board and all remaining staff have accepted a salary decrease.

We are looking forward to the day when our musical and work lives return to normal.

# THE INCOMPARABLE MITCH WEISS

For clarinetist Mitch Weiss, the dilemma was “Should I be a doctor – or a musician?” Happily, the music won out!

By DAVE WEISS

**W**HEN MY father Mitch Weiss was a child, he expressed to his family that he wanted to play the clarinet for a living. But my uncle Hyman, the patriarch of the family, would have none of it: my dad was going to medical school, end of story. When my dad persisted, Uncle Hyman clamped down and sent my dad to a psychiatrist!

So goes one of the many stories that my father has shared with us over the years. Mitch is known as a modest man who, during his 50-plus-year career in the music business, rarely talks about himself. I visited him recently at his home in New Jersey, sitting on his deck overlooking a beautiful lake. With some prodding, out came the stories of his times working with a veritable “Who’s Who” of the classical music biz: Stravinsky, Bernstein, Stokowski, Leinsdorf, Levine and many others from Broadway and popular music. But what is also fascinating is how he went back and forth between trying to have a medical career but always coming back to music.

Born in Rochester, New York in 1932, Mitch was raised in a strict and extended Jewish family. His father had left Romania at only nine years old. As was the custom then, his given name (Herscu Vais) was Americanized, and he officially became Harry Weiss. His mother Mamie Cohen’s family was from Minsk. Family lore has often said we had Latvian roots too and that in the old country, one of our great grandfathers was a “Klezmorim,” a Klezmer musician.

Young Mitch excelled at his studies and won academic awards. His teachers recommended he pursue pre-med studies with the goal of becoming a doctor. But Mitch had also started the clarinet in the fourth grade, where he also excelled, winning many awards and play-



PHOTO: WALTER KARLING

**Mitch Weiss (far left) playing with Stanley Drucker in the Local 802 Senior Concert Orchestra. At right, Weiss in costume for a “Don Giovanni” stage band performance with the Metropolitan Opera, where he was a substitute and associate member for around 35 years.**



ing principal in Rochester high school orchestras and all-state ensembles. He even aced his music history studies. (I still have his Grout’s “History of Western Music,” which he was awarded for his academic achievements.)

And there was music in the family. Mitch’s aunt graduated from Eastman and was a music teacher. Two of his uncles had studied violin casually. And Mitch’s mother always had classical music on the radio in his house. There was even a music celebrity in the family: Mitch’s “uncle-in-law” was David Diamond, the noted composer.

This would be a recurring dilemma for Mitch in the years to come: medicine or music? He spent two years at University of Rochester on a pre-med track, but de-

spite doing well in his studies, he wasn’t happy. He eventually put medical studies on hold and transferred to Eastman, where he studied classical clarinet, earning a master’s degree. During those years he also learned saxophone and formed a jazz band with his Eastman friend Ray Premru, the noted trombonist, who was also from upstate New York.

It was also at Eastman that he met his future wife, who was then Janet Kristensen. Knowing that his family would not approve of this arrangement (she being a musician and at the time not Jewish), they eloped to a neighboring county so the marriage announcement would not appear in the local paper. They had no car and were broke students, so they hitched a ride out of

Rochester on a milk truck. This just makes the story all the more romantic. Though they did eventually have a formal family wedding, Mitch would keep the elopement a secret from his family for almost 50 years.

After Eastman, Mitch auditioned and was accepted to both the Marine and Army bands, but because of bureaucratic mistakes and bad luck, he was assigned “regular army” for several years, first at Fort Knox and then to Asia during the Korean War. But while on a troopship carrying 1,500 soldiers bound for Korea, his luck changed: while the troopship was docked at Pearl Harbor, Mitch was summoned to deck and informed he was now assigned on land. The commanding officer of the Pacific Command



Band had noted Mitch's credentials and singled him out for assignment to the band as its concertmaster. This started a long stint in Hawaii, where he played clarinet with the band at military functions, sax for officer's club gigs, and subbed on bass clarinet with the Honolulu Symphony. Janet joined him in Hawaii. There they lived in a lovely home off base for two wonderful years.

After leaving the Army, Mitch's potential medical career came knocking again: he was offered a full scholarship at the University of Southern California to study clinical psychology on a track to a full doctorate. He was also able to continue his clarinet studies at USC (also on full scholarship) with the noted clarinetist Mitchell Lurie. So Mitch and Janet settled in L.A. for about 10 years, cobbling together a living, he from social work based on his academic medical resume, while Janet did administrative work for USC and they both slowly broke into LA's classical and recording scene. Janet found some success there, doing enough session work that she qualified to join the Musicians Guild, an L.A. union that had broken off from the AFM in the early 1960s. Union issues were always part of their family meal conversations. But Mitch eventually soured on the medical studies and left the program, with just his thesis assignment for his full doctorate unfinished. He wanted to play music.

It was in L.A. that Mitch was involved in the premiere of "Elegy for JFK" by Stravinsky. Mitch remembers:

"Stravinsky wrote the piece just a few months after JFK was assassinated. It's a short piece, just a few minutes, scored only for baritone voice, two clarinets and alto clarinet. We were invited to Stravinsky's palatial home in the Hollywood Hills, right near the famous Hollywood sign. The first day we rehearsed without Stravinsky. His wife Vera served us meals and refreshments on our breaks. But I sensed he was listening outside our rehearsal space. We returned to his house the next day and this time Stravinsky joined us, leading the rehearsal. The music had been revised significantly overnight. He conducted the premiere, despite his advanced age and some physical difficulty. As we were walking to the stage, one of us asked him why he continued such a rigorous schedule conducting all over the world? Stravinsky answered with a

smile: 'To get even!'"

But in the early 60s, significant job actions affected the L.A. music business and finding work was difficult. Since they both had friends in NYC, they loaded up their small car, my sister, myself and assorted pets and made their way cross-country to try their luck here.

Once in NYC, Mitch relied again on his resume to get a job as a social worker, making ends meet, while he struggled to break into the music business. Mitch's first gig was at Radio City Music Hall in the mid-60s. At that time it was a full-time job, with up to four shows a day, alternating with a first-run "family" film. Janet also found employment there as a flute sub. With two young children, child care became an issue. It was common for our folks to bring my sister and me to "the Hall" and drop us off with the Rockettes, who kept an eye on us between their turns on stage.

The life of a musician is taking as many calls as you can, so when Broadway started calling, Dad answered. He subbed on countless shows and would eventually hold chairs in seven, including "Candide" (1974), "West Side Story" (1980), and the original "Les Misérables" (1987), playing its entire 16-year run.

Mitch played under Leonard Bernstein many times and was involved in the premiere of his "Mass" in 1971. After the premiere, there was a reception, and my dad remembers Bernstein at the food table. Lenny noticed there were lox and bagels, but there was butter and no cream cheese, a Jewish no-no. Lenny humorously remarked in Yiddish, *goyische kop!* This meant "not thinking like a Jewish person," since no one raised Jewish would ever put butter on a lox and bagel!

## MET OPERA

Mitch is probably best known for playing over 35 years with the Metropolitan Opera. He recalls:

"In the late 1960s, we were living on 76th Street and I got a call around 8:15 p.m. from the Met's orchestra manager. I had never worked at the Met, but they had an emergency in the clarinet section and since I was free, they asked me to come at once and bring my clarinet and bass clarinet. I got there in the middle of the first act of 'Aida,' which I had never played before. The contractor advised me, 'You'd better look over Act 4. There's

a big bass clarinet solo obbligato. Don't worry, you're all alone!'"

It went well and that's how Mitch started subbing there. This evolved over time to him being an associate member of the orchestra on clarinet, Eb clarinet, bass clarinet and saxophones. His most unusual assignment was for Wagner's "Tristan," which calls for a solo "shepherd's pipe" in Act 3. Over the years, it has become traditional to play the solos on a tárogató, a Hungarian folk instrument best described as a wooden soprano saxophone. During a "Tristan" rehearsal, Maestro Erich Leinsdorf asked to hear the solo on trumpet first and then Mitch on the tárogató, so he could compare them. In front of the whole orchestra, both musicians played the solo. Leinsdorf thought for a second, then loudly said "Tárogató plays the solo!", keeping the solo on this very difficult instrument!

(I can personally attest to how difficult the tárogató is to play. Dad sat me down once to try to learn the "Tristan" solos. I tried for about an hour and then I handed it back to him, saying "Thanks, but I think I'll wait for the movie!")

On another occasion with Leinsdorf conducting, the principal clarinetist became ill and had to leave a "Ring" rehearsal. Mitch had to take over. At the break, the contractor told Mitch he was needed in the maestro's office. Mitch remembers: "Leinsdorf's English was good, but not perfect. He advised me: 'Very good job, Mr. Weiss. But our principal does not look good and he might not be here tonight, so be sure to 'overlook' the part just in case.' 'Overlook?' I answered with a straight face, not daring to correct him. 'Yes, Mr. Weiss. Overlook the first part!'"

During another Met rehearsal, Carlos Kleiber, the eminent Austrian conductor, got into a significant disagreement with one of the musicians over a phrasing issue. The matter was not getting resolved, so Kleiber put down his baton and informed the orchestra: "I am leaving for lunch...in Vienna" and stormed out.

In addition to the Met and Broadway, Dad would go on to serve as a charter member of the American Symphony under Maestro Leopold Stokowski. He was a ubiquitous substitute at the New York Philharmonic, NYC Ballet and practically every orchestra in NYC. And



Mitch Weiss in a publicity photo from 1970. Clockwise from upper left: Maurice Pachman; unidentified French hornist; Ed Zuhlke; Mitch Weiss and his wife Janet Weiss

he played so many freelance recording gigs that they can't all be listed here.

## RETIREMENT

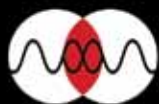
Mitch now enjoys a quiet retirement at his house in Northern New Jersey, overlooking his beautiful lake. But he still gets out the old licorice stick, playing with retired New York Philharmonic principal clarinetist Stanley Drucker, performing with the Local 802 Senior Concert Orchestra at its annual Carnegie concert, as well as playing chamber music with his Met friend and neighbor Laurie Hamilton, the retired principal associate concertmaster at the Met.

Dad is the patriarch of a true AFM family, of which he is very proud. He joined Local 802 in 1965. I joined Local 802 in 1979. My wife Katarzyna "Kaya" Bryla-Weiss, a violist with St. Luke's and NYC Ballet, joined Local 802 in 2014. My late mother was a member of the union. Between all of us, we have been members of Local 802, Local 47 (L.A.) and Local 40-543 (Baltimore) for about 170 years of combined AFM membership. Mitch is equally proud of his daughter Cecilia (a successful TV producer in L.A.) and his grandson Daniel, a recent graduate of LIU in Brooklyn.

I had to end my interview by asking Mitch if he had any regrets on not becoming a doctor. He smiled and answered quickly, "None whatsoever!"

Dave Weiss plays woodwinds for "The Lion King" and freelance recordings.





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# FOR OUR COURAGEOUS WORKERS

Experimental composition brings musicians together to say “thanks”

By **HAJNAL PIVNICK**  
hkpivnick@gmail.com

**A**S THE QUARANTINE was entering its second month here in NYC, it became clear that the need for musical connection was stronger than ever, and I was eager to find ways to plug into the various efforts to help out. Frank London, a phenomenal trumpet player and friend, reached out to my husband, the composer and pianist Dorian Wallace, with an idea to create a musical response to the nightly 7 p.m. “cheer” that had been organized for essential workers in New York. It would be an experimental composition that could be performed from windows and rooftops, all while observing social distancing. As Dorian and Frank began discussing, they asked me to come on board to plan and help with carrying out the idea.

Together with Dorian, I run a concert series and musician collective called Tenth Intervention, which focuses on presenting

community-driven modern music in New York City. The idea for this city-wide fanfare fell perfectly in line with our mission as an organization. We saw this as a really special opportunity for musicians to be able to contribute to frontline workers by performing a coordinated collective work.

Working together with Frank to create the score, we discussed the musical ideas, what the themes would be (cheering, reflecting, catharsis and gratitude), how long each “movement” would be, and the playability of the score. We felt strongly that this piece should be accessible to musicians of all ages and abilities, from students who play the recorder in their elementary schools to professional players, and everyone in between.

Once the work was finalized, we reached out to our respective networks to aid in getting the word out to musicians through mailing lists, social media, and word-of-mouth. We were met with an outpouring of support from major institutions including Local 802, Jazz at Lincoln Center, City

Winery, Kaufman Center, WBGO, Joe’s Pub, Make Music New York, -- and the list went on, with over 30 co-sponsoring organizations. We felt tremendous affirmation from people’s desire and sense of urgency to connect musically while honoring essential workers.

Dorian and I set up a live stream of our performance at 7 p.m. on Wednesday, April 29, sitting in opposite window sills in our apartment. He played the melodica and I played violin. We moved through the score using a clock, at times syncing up with each other’s responses and interpretations of the music, while other times we found ourselves in deep concentration of our individualistic ideas. Some people passing by on the sidewalk were surprised to hear instruments other than the commonly heard cheers, pots and pans, and stopped to take video of two musicians hanging out of their windows playing loudly in the “cheering” section of the work. After the 10-minute performance was over, we spent a few

hours watching the videos tagged on Facebook, Instagram, and Youtube with our hashtag #playbecausewecare. You can watch a cut of the final video at [www.tenthintervention.com/workers](http://www.tenthintervention.com/workers) and also download a copy of the “score” (you’ll be surprised!)

We are in the process of collecting footage posted by people who took part in the piece, creating a composite video as a lasting tribute to an event that brought so many musicians together from all over the city and tristate area. E-mail me if you took part in it.

It’s a move of solidarity to be able to participate with musicians of all abilities, whether or not you can hear each other playing from borough to borough. We are all in this together, and contributing to the outpouring of gratitude with joyful noise, that is a huge part of what brings meaning to this time in solitude.

*Violinist Hajnal Pivnick has been a member of Local 802 since 2014.*



# HOW THE LAW PROTECTS MUSICIANS PRACTICING AT HOME

## LEGAL CORNER

HARVEY MARS, ESQ.



Harvey Mars is counsel to Local 802. Legal questions from members are welcome. E-mail them to [HsmLaborLaw@HarveyMarsAttorney.com](mailto:HsmLaborLaw@HarveyMarsAttorney.com). Harvey Mars's previous articles in this series are archived at [www.HarveyMarsAttorney.com](http://www.HarveyMarsAttorney.com). (Click on "Publications & Articles" from the top menu.) Nothing here or in previous articles should be construed as formal legal advice given in the context of an attorney-client relationship.



PHOTO: LATOKTUGAMORADA

**T**HE QUARANTINE HAS compelled musicians to practice in their homes more than ever before. Unfortunately, this extra practice time may come with a price. Case in point: an article in the Wall Street Journal on May 5, 2020 was headlined, "Can You Mute That Tuba? Lockdown Forces Musicians to Practice Quietly." Writer Angus Loten found that a host of noise complaints have recently been lodged against New York City musicians who are practicing in their own apartments. While the influx of complaints is understandable, the fact still remains that in New York State, professional musicians have the right

to practice in their apartments during reasonable times. It has been noted in judicial decisions that hearing people practice music is simply one of the many inconveniences people living in populous areas must tolerate.

Ample case law exists on this point. Here's a brief sampling of some of the decisions on this topic that remain valid.

One New York court found that an hour of drum playing daily is O.K. *Douglas Elliman & Co. v. Karlsen*, 59 Misc.2d 243, 298 N.Y.S.2d 594 (Civ.Ct.N.Y.Co. 1969).

Another court found that six hours of guitar playing per day is permissible. *Florence Realty Corp. v. Shakespeare*,

*N.Y.L.J.*, 8/12/77, p.12.col.3 (Civ. Ct. N.Y. Co.).

In another case, the efforts of a co-op board to restrict the playing of musical instruments to 1.5 hours per day per person and prohibiting any playing after 8 p.m. were deemed impermissible. The court found that such a restriction was arbitrary and unreasonable. *Justice Court Mutual Housing Cooperative, Inc. v. Sandow*, 50 Misc.2d 541.270 N.Y.S.2d 829 (Sup.Ct.Qns.Co. 1966).

(The ruling above took place in a co-op setting, but if a similar restriction were written into a general residential lease, it would be deemed unreasonable by a New York court.)

More recently, disturbed neighbors have attempted to prosecute noise offenders in the criminal forum, also without success. In one case, neighbors in a residential area brought a case for criminal harassment against a defendant because of his daily drum playing. The court, which sided with the drummer, stated that the "development and practice of one's musical talents is just as much a pursuit of a legitimate business or livelihood as the operation of a factory or auto repair shop which also necessarily involves the emanation of sounds or noises." *People v. Cifarelli*, 115 Misc.2d 587, 588, 454 N.Y.S.2d 525 (Crim.Ct. Queens Co. 1982). This same court held that the proof was insufficient to prove the criminal charge, and that defendant's conduct was not a subject for criminal prosecution, citing *People v. Markovitz*, 102 Misc.2d 575, 423 N.Y.S.2d 996 (Crim. Ct. N.Y. Co. 1979). The court also observed that the defendant's conduct was also insufficient to support a claim for private nuisance since "musical instrument practice" is one of the "certain inconveniences which people living in populous areas must tolerate."

In another decision, the court held that a pianist's daily practice did not create a nuisance. The pianist in question had an international reputation. Furthermore, the residential lease contained a provision that permitted piano playing during reasonable hours. *Twin Elm Management Corp. v. Banks*, 181 Misc. 96 (Municipal Court of the City of New York,



1943). The plaintiff could not ultimately prove a violation of that clause.

In my May 2015 column, I outlined the details of a nuisance suit that a condo owner had lodged against two young piano students enrolled at Mannes. The suit, premised upon the defendants' alleged violation of the New York City noise code, sought money damages and a permanent injunction barring the children from practicing in their apartment. An injunction is an extraordinary remedy to ask for. It is used when monetary damages are insufficient to compensate or abate a claimed loss.

In order to prove the existence of a common law nuisance, a litigant must adequately demonstrate that the noise disturbance unreasonably, intentionally and substantially interferes with the person's right to enjoy and use the land in question. The plaintiff was required to demonstrate to the court that he had no adequate remedy other than an injunction. He also had to show that the "balance of equities" (fairness) tipped in his favor. Finally, an injunction is only granted if the plaintiffs can demonstrate that they have a likelihood of prevailing in their suit. Fortunately, the court sided with the music students. On Sept. 20, 2016, New York Supreme Court Justice Gerald Lebovits, who is also a rock drummer, issued a decision in which he denied the plaintiff's request for a permanent injunction. *Ezrapour v. Schaffer*, Index No. 15157/15, Supreme Court, New York County. First, Justice Lebovits held that there was absolutely no proof submitted by the plaintiff that he would be "irreparably harmed" if the children continued to play. While the plaintiff contended that he would become "mentally and physically ill" if the court denied his motion, no specific evidence supported that contention. His failure to demonstrate that money damages could not adequately compensate him if his claims were sustained also prompted the denial of the injunction.

The court also found grounds to deny the motion on the basis that the equities of the case were decidedly balanced in the defendants' favor. The court noted that in order for the children to remain in the Mannes program, they were required to practice at least two hours a day. If they were barred from practicing, it would severely hamper their chances of becoming professional musicians. Clearly, the children would suffer greater

harm if the permanent injunction were granted than plaintiff if it were not granted.

The court also addressed the merits of plaintiff's nuisance case. First, the plaintiff had submitted no evidence that the children were not complying with the condo rules with respect to practice of musical instruments. They clearly practiced within the time frames established by those rules. Furthermore, the acoustical report presented by the plaintiff did not demonstrate that defendants had violated the noise code when they practiced. Significant in that regard was the fact that no noise complaint or code violation was lodged with the city. Finally, the court relied upon the fact that the defendants had taken measures to dampen the noise levels in their apartment and had followed the requirements suggested by their own acoustical experts. For these reasons the court concluded that the plaintiff had not sufficiently established a private nuisance claim.

In New York, noise code violations are extremely difficult to prove with respect to acoustic instrument practice. A sustained violation must be documented proving that sound is more than 10 decibels above the ambient noise level of the surrounding environment. For reference, midtown traffic registers at about 80 decibels, while a lawnmower at 10 feet registers at about 90. Comparing the two, that is approximately how much louder than the surrounding environment your practicing would need to be to be in violation of Section 24-203(34) of the NYC Noise Code (Local Law No. 113). That law also provides that music is not considered an "impulsive" or instantaneous sound, like a jackhammer. Section 24-218 of that same law states that a violation occurs if sound (other than impulsive sound) is 10 decibels or more above the ambient noise level during the hours between 7 a.m. and 10 p.m.

During the quarantine, musicians should take comfort in knowing that the law is on their side and that if they make efforts to comply with the noise code, they will defeat a complaint lodged against them with the city or their landlord. Local 802 is here to help you navigate these issues and others during these tempestuous times. Contact me at [HsmLaborLaw@HarveyMarsAttorney.com](mailto:HsmLaborLaw@HarveyMarsAttorney.com).

# HELP FOR MUSICIANS DURING THE CORONAVIRUS CRISIS

1. Start at the Local 802 resource center at [www.local802afm.org/resource-center](http://www.local802afm.org/resource-center)

2. Go to the Local 802 Musicians Emergency Relief Fund at <https://erf.local802afm.org>

3. Looking for counseling? Help with substance abuse? Someone to talk to about affordable housing or health insurance? We've got you covered! The Actors Fund provides all kinds of free social services to professional entertainers, including members of Local 802. Members of Local 802 can call on the Actors Fund for almost any kind of free help you can imagine. For **financial aid**, start at <https://erf.local802afm.org>. For **counseling and other help**, start at **(212) 221-7300, ext. 119** or [intakeny@actorsfund.org](mailto:intakeny@actorsfund.org).

# SITUATIONAL DEPRESSION

## IN THE TIME OF PANDEMIC

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**N**OW THAT WE are months into the pandemic, hopefully we are moving beyond the initial stage of shock and denial of the grieving process. Denial provided temporary relief from the harsh reality that was dawning on us with increasing clarity. That feeling likely transitioned into anger, followed by attempts to bargain with the new and unwelcome situation we now live in. This may result in a depression like a heavy, dark cloud which persistently hovers over our heads.

There are different types of depression or mood disorders, such as major depression, bipolar disorder, and

postpartum depression. Some types of depression can have identifiable causes, such as suffering extreme trauma or hormonal changes after giving birth. Others may have no trigger at all and just seem to happen somehow “out of the blue”. However, what most of us are currently experiencing is situational depression.

Situational depression is not necessarily a permanent condition, and the cause is largely due to the current pandemic. The typical onset of situational depression is within a week of encountering a difficult situation, or it can be up to three months. The symptoms usually begin receding within six months of living in the situation. Many of the symptoms of situational depression are similar to those of the more enduring forms of clinical or major depression.

Depression affects people in a variety of ways. Physically, it drains our vital energy.

That makes us feel tired and lethargic, not wanting to move or do anything. There may be unexplained pain, headaches, cramps, or digestive problems. We may have insomnia, early awakening, or have trouble getting out of bed in the morning. There may be appetite changes, with unintentional weight gain or loss. Some folks may feel restless and unable to sit still for very long.

The psychological effects of depression include confusion, apathy, pessimism, victim mentality, increased doubt, recurrent negative thoughts, endless worry, obsessing on problems, imagining the worst, impaired cognitive functioning, low self-esteem, difficulty concentrating, memory issues, problems making decisions, and the loss of motivation to work, practice, or participate in otherwise preferred activities.

Depression can have a heavy impact on our emotional balance and sense of

well-being. It can make us feel really down, irritable, angry, anxious, panicky, hopeless, helpless, overwhelmed, terrified, doomed, and in despair. It can feel like a black hole of emptiness and sadness at the deepest core of our being. It doesn't seem to go away on its own during the day. Then it can wake us up in the night to remind us of the many problems we're struggling with, without reaching real solutions to solve them. To put it lightly, depression can put us in an incredibly bad mood.

Some people experience only a few of these symptoms, while others may unfortunately experience many of them simultaneously. The severity and frequency of symptoms and how long they last for you will depend on the unique conditions in your life at the present moment and how you respond to the current situation.

If you feel that you are experiencing a serious mood disorder that is beyond

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Dr. Don Greene is a peak performance psychologist who trains performing artists to handle highly stressful circumstances. His background and experience make him uniquely qualified to offer counsel to folks who may be struggling in these challenging times. Greene is a graduate of the U.S. Military Academy at West Point. After being commissioned, he went through airborne (paratrooper) training and Ranger (survival) training, and was the first in his West Point class to join the Army's Special Forces (Green Berets). He was later awarded the Army Commendation Medal for his service as executive officer with the 255th Detachment, 5th Special Forces Group. After resigning as a captain, he earned his master's and Ph.D. in psychology. His doctoral dissertation showed that the sports psychology strategy known as *centering* improved the performance of police SWAT officers involved in stress shooting. After graduation, Dr. Greene trained several SWAT teams as well as police dispatchers and emergency first responders. He was in charge of crisis intervention and disaster management for Merrill Lynch in New York for several months after 9/11. Greene has served on the faculty at Juilliard, the Colburn School and the New World Symphony. He has helped thousands of musicians win auditions. Please visit [www.winningonstage.com](http://www.winningonstage.com) for more information. You can also follow him @winningonstage on Instagram and through the Overcoming Performance Anxiety 101 Forum on Facebook at [www.facebook.com/groups/winningonstage](http://www.facebook.com/groups/winningonstage)

situational depression, or you're having considerable trouble coping with it, you should reach out for help. Taking action to find a therapist or doctor is a sign of tremendous courage and inner strength. I personally believe this. That comes from a West Point graduate, former Army Captain, Ranger and decorated Green Beret.

Caring professionals are readily available to assist you, even if you're stuck at home in your cave, feeling sorry for yourself, not wanting to talk to anyone. If you are there and considering harming yourself, please reach out to someone who can help. Call 1-800-273-TALK (8255) or visit [suicide.org](http://suicide.org). We cannot stand to lose any more lives. That would make matters so much worse for everyone.

However, if you're experiencing mild to moderate situational depression, you can walk your way out, figuratively

and literally. Know that it is normal to feel this way, and almost everyone you know probably feels the same way. Take one step at a time and begin to move yourself out of the dark pit. Do not allow yourself to get stuck and wallow in your depression and self-pity until it gets better on its own, because it may be here for a long time. Again, seek professional counseling if you are having intense symptoms.

Feeling helpless, hopeless, and overwhelmed are symptoms of depression, but they do not need to be constants of your current situation. The pandemic is extremely bad, but the vast majority of us will survive this crisis. Some people will even thrive in spite of it. In the meantime, there are a number of things that you can do that will help you feel better and function more effectively whenever you're ready. Here are my tips:

- Expect your mood to improve gradually, but not immediately.
- Set realistic but challenging goals for yourself for the next six months.
- Establish a structured daily routine of activities, especially in the morning.
- Soon after waking up, expose yourself to sunlight and fresh air.
- Try to stretch and exercise moderately six days a week. Ease into exercise gradually; don't overdo it at first if you're out of shape.
- Get good sleep and recreation daily.
- Eat as healthy as possible and hydrate to the max.
- Strive to regain a sense of control and happiness in your life.
- Practice optimism and supportive, positive self-talk.
- Be especially kind and loving to yourself and others.
- Be aware of reckless behavior or acting out.
- Imagine things going better for you in the near future.
- Find accurate sources of news and practical information.
- Literally count your blessings every day.
- Summon your courage to handle this challenging condition.
- Control what is under your control and let go of the rest.
- Confide your thoughts and true feelings to a trusted friend or loved one.
- If you feel that it would be helpful or advised, seek professional counsel.

Stay safe and well. We will get through this together.

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# WHY WE JOINED THE UNION

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KEVIN A. VIRGILIO

**I JOINED LOCAL 802** because it's best way to connect with like-minded musicians who are willing to work together toward a common goal. I first started playing music in public elementary school in Pleasant Valley, New York. There were lots of kids in the music program there, and I was assigned to play the trombone (even though I had asked for cello or clarinet). I like to imagine I would have made a fine cellist, but I guess we'll never know because I'm now way too busy to learn! I studied the trombone with Ronald Borrer at the University of Hartford and with Per Brevig at Mannes College. I owe them both a great deal. After my formal education, I started playing with salsa bands to get out of my comfort zone while I looked for work teaching music. Since then, I've played with many different groups in countless styles and venues. Those experiences have inspired me to aspire to even greater musical heights. As my career continues, I hope to build myself and my sound with everything that comes my way so I can keep on moving! Making music has always been a retreat for me from the chaos of the universe. It's a reward in itself, and it's the only activity in my life that can always feel new and invigorating – more and more as the years go by. When the quarantine started, I embraced the opportunity to collaborate virtually with some talented musicians within my network on a fun new project. Using some experimental

recording techniques and classical instrumentation, my friends and I are recording the vocalises of Marco Bordogni. What we have so far sounds beautiful! I also have two really great teaching artist residencies at Community School 61 in the Bronx and at Lab Middle School for Collaborative Studies down in Chelsea. Their music departments are small, and I'm having a terrific time laying the groundwork for growth by starting choral, instrumental and general music programs for them. At C.S. 61, we've expanded the department to include two choruses, a bucket-drumming club, general music classes for the little ones, and a budding instrumental music program for the fourth and fifth graders.

**Kevin A. Virgilio**  
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**I RE-JOINED LOCAL 802** to get back to my musical roots. I first joined the union in the mid-1970s when I was the piccolo player with the American Concert Band under the direction of Dr. Kirby Jolly. For many years, we performed gigs that were free and open to the public, funded by the Music Performance Trust Fund. My musical goal in NYC is to meet and network with musicians (particularly classical musicians) and develop more playing opportunities. One of my favorite gigs took place a year ago when I performed as a flute soloist with a community orchestra in the Albany area. I performed Charles Griffes'



BILL GIANNONE

"Poem" and the waltz from Benjamin Godard's "Suite de Trois Morceaux" for flute and orchestra. I graduated from SUNY Fredonia with a B.Mus. degree in music education. I then served in the Army as a member of the U.S. Military Academy Band at West Point. At the same time, I attended Teachers College of Columbia University and studied with John Wummer, retired principal flute with the New York Philharmonic. Later I studied with Harold Bennett, who was principal flute with the Met Opera orchestra for many years, and I also studied with Fred Morrone (of the Met Opera) and Fred Heim (of the New York Philharmonic). Over the years, I've performed with many professional and community bands and orchestras, mostly on Long Island. The quarantine gave me the opportunity to stay home and practice more, but I'm happy to say that one of my recent projects was taking J.S. Bach's 15 Sinfonias (also known as "Three-Part Inventions") for keyboard and arranging them for three flutes. They have been published and are available from the Flute Center of New York ([www.flutesheetmusic.com](http://www.flutesheetmusic.com)). The Sinfonias were mentioned in the April issue of International Musician.

**Bill Giannone**  
[wgiannone1@gmail.com](mailto:wgiannone1@gmail.com)

**MY FIRST UNION** was AFM Local 132 in Ithaca, which I joined in college because someone I was gigging with



CYNTHIA SAYER

recommended I become a member. After graduating, I moved to NYC and transferred to Local 802. During this Covid-19 shutdown, my partner and I stay inside a lot, take care of our health and try to stay positive. We're in regular touch with family and friends. I've expanded my online teaching and posted music videos, joined virtual collaborations and am educating myself about virtual performance options. Like many other musicians, I earned most of my living on tour, and post-Covid, one goal is to perform in NYC more often. I love touring, but it sure felt great to be home for a recent stretch of work for Jazz at Lincoln Center. Experiencing the amazing power of music to uplift and unite gets me every time. Some of my favorite pre-quarantine gigs were my annual PAC concert in Sarasota, Florida; my band's most recent tour in China; introducing NYC public school kids to jazz; and a post-punk/jazz fusion recording session. One of my missions has been to re-popularize the four-string banjo, and I'm proud to have broken new ground as the first to win several awards on my instrument, the first to be a featured artist at the Newport Jazz Festival, and to be in the American Banjo Hall Of Fame. I've been privileged to play with many leading jazz, roots and popular artists. As a kid I had no thought of becoming a musician, but was delighted to discover I could get paid to play gigs as a teen, and earn spending money while

# WHY WE JOINED THE UNION

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VINCE ECTOR



ADAM ROBINSON



JD HUNTER

in college. After graduation I planned to go to law school, but decided to wait and first have fun playing gigs before I continued my schooling. I never did get to law school, and have been a full-time player ever since. Music is important to me because it enables me to bring joy to others while earning a living and loving what I do! My primary instruments are banjo, vocals and tenor guitar, though I also sometimes gig with piano and uke. Besides being a bandleader, I also do studio work (soundtracks, albums), concert and festival gigs, orchestral and classical ensemble work, theatre pit work, private teaching, workshops, educational concerts, lecture/demos, and community outreach.

**Cynthia Sayer**  
[cynth@earthlink.net](mailto:cynth@earthlink.net)

**I DECIDED TO REJOIN** Local 802 when my daughter joined AFM Local 47 as the next member of our family to become a professional performer. I thought it was ironic that I would promote the benefits of being a union member when I allowed my membership to expire many years ago after I became vested in the AFM pension plan. I plan to become more active in advocating for my fellow musicians – especially in the area of jazz – and am confident Local 802 will be a strong voice for the future of our industry during the rapid changes that we must be prepared to face as artists, educators and performers in 2020 and beyond. My musical goal in NYC

is to inspire and be inspired by the creative energy that exists in the greatest city in the world for music! Before the quarantine, one of my favorite recent gigs was a concert with my band at the Side Door club in Connecticut in support of my latest CD “Theme For Ms. P.” I had performed at this venue for many years as a sideman, so to finally lead my own band there made me feel that my career is coming full circle. I’m from Philadelphia, which is a historical musical town. My career brought me to NYC in the 90s and I have performed or recorded with artists as diverse as Randy Weston, James Moody, Hank Jones, Jose Feliciano, Steve Miller and Ben E. King, to name a few. I have recorded four CDs as a leader and am featured on over 60 as a sideman since I arrived in NY. Music is my release and the way that we can all connect to each other without any biases or cultural boundaries. Music is also important to our development as human beings. I’m currently a lecturer of jazz percussion at Princeton University and also tour with my band “Organatomy Trio+”. My arts organization Arts For Kids has provided arts services to youth and families throughout the tri-state area since 2000. I have been adjusting to the quarantine by shifting my teaching over to Zoom. This has allowed me to provide a much-needed experience to my students, who have all been affected deeply by the pandemic. I am teaching students on two continents at the moment and it has really helped them by allowing me to stay active and engaged in their lives

until we are able to meet again in person. It has also help me stay engaged, creative and sane while confined to my home. After the quarantine is over, I will hopefully re-start my touring schedule; my plan for 2020 was to tour China, Mexico and Europe. My primary instrument is drum set.

**Vince Ector**  
[Vincent@Vincetector.com](mailto:Vincent@Vincetector.com)

**I JOINED LOCAL 802** when I got the job to sub for a friend in an Off Broadway show, which was a real hoot – and I enjoyed getting paid union scale! I came to NYC to study jazz and have been lucky to have found a community of musicians studying Japanese traditional flute. It’s my goal to turn more people on to this beautiful instrument! My first instrument was violin, which I played from ages 5 to 17, and I also picked up sax as a teenager. Tenor sax was my major at the New School before I started studying shakuhachi. My current focus is the study of classical Japanese ensemble music from the Edo period (1603-1867) with my mentor, Ralph Samuelson. I also play in a rock band. The coronavirus crisis has been a call for solidarity among all New Yorkers. I’ve been strategizing with fellow artists, organizing tenants in my apartment building, and digging deeply into the fundamentals of instrumental practice.

**Adam Robinson**  
[5adamrobinson@gmail.com](mailto:5adamrobinson@gmail.com)

**I JOINED LOCAL 802** when I won an audition to play the Christmas Spectacular show with the Radio City Music Hall Orchestra. Before the quarantine, my gig was serving as concertmaster of the North American tour of “Aladdin.” I earned my bachelor’s and master’s degrees in violin from the New England Conservatory of Music and played at Tanglewood and other festivals. I fell in love with Broadway and theatre music after a month of playing “The Hunchback of Notre Dame” at the Ogunquit Playhouse in Maine. Music transported me from a lot of emotional, social and psychological chaos as a kid. I learned I could create beauty in the face of ugliness and obstacles. As an adult, music is important to me because it has the power to create connections across barriers otherwise unquestioned. For me, it’s all about a dynamic energy exchange. The quarantine has gifted me the wonderful opportunity of spending a lot of quality time with my parents in Utah, something my hectic touring schedule has kept me from doing in the last few years. It’s also given me the time and space to produce my debut crossover album with Ben Noyes as the production team NOYES HUNTER, which we hope to have finished by the end of the summer.

**JD Hunter**  
[qweenjd@gmail.com](mailto:qweenjd@gmail.com)



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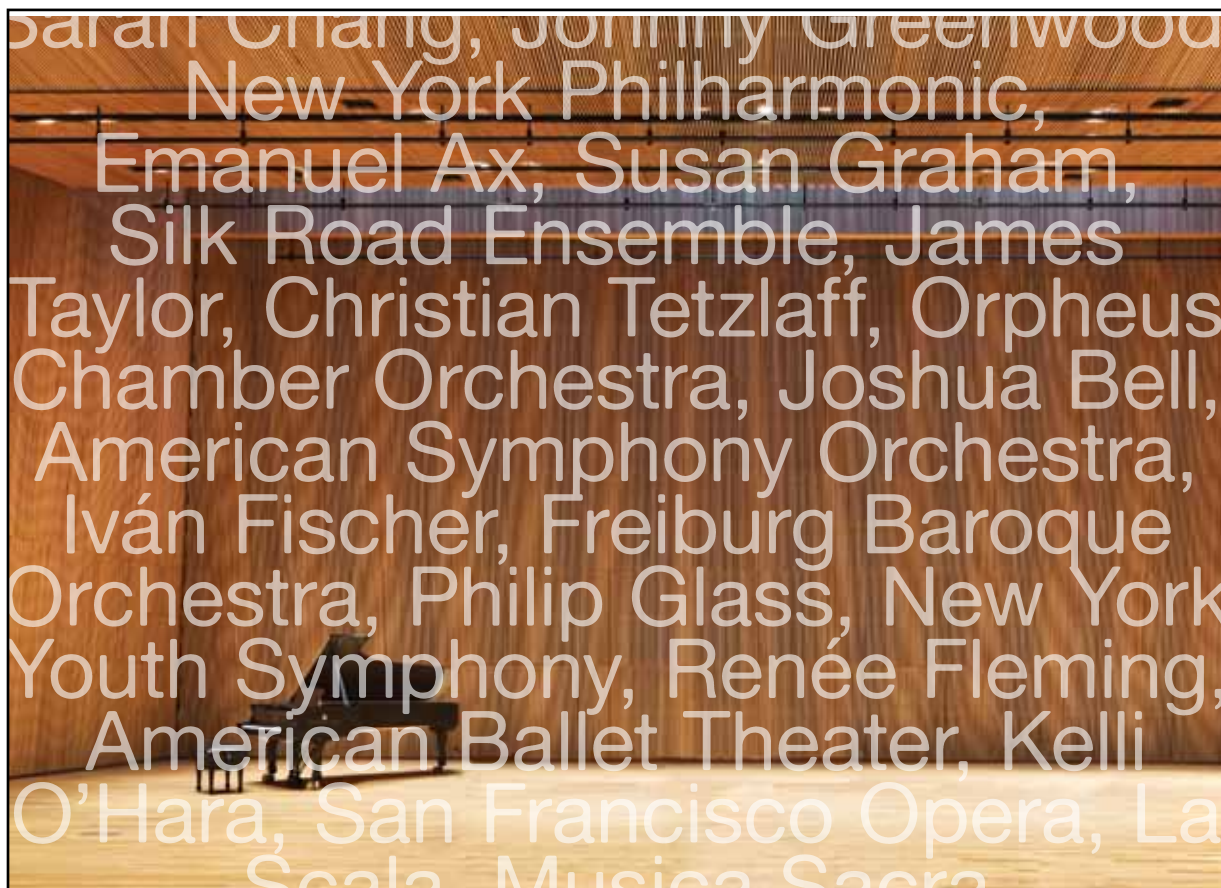
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# REQUIEM



DR. LYN CHRISTIE



EDDY DAVIS



AL FERRARI



DR. JANET GRICE

## DR. LYN CHRISTIE

**D**R. **LYNDON VAN CHRISTIE**, 91, a member of Local 802 since 1966, died on March 28. He was born during the Great Depression in Sydney, Australia with music in his blood. His father, the late Clarence Lyndon Piatara Christie, was leader of the Australian Broadcasting Corporation Orchestra at the time while his mother, Clive Grace Christie, was a concert pianist. The family moved back to Christchurch, New Zealand to help run the Christie family printing business where Dr. Christie attended St. Andrews College and Canterbury College in Christchurch before graduating as a Doctor of Medicine from Otago University in Dunedin. He went on to practice medicine in New Zealand and Sydney, Australia, and later at Yonkers General Hospital.

While Dr. Christie retained a strong interest in health and science throughout his life, music was his first and greatest love. Well known in New Zealand and Australian jazz circles during the 40s and 50s, he quickly became established as a professional musician when he moved to New York. Working on the double bass in and around clubs of Greenwich Village, he played with a pantheon of leading artists including Jaki Byard, Joanne Brackeen, Wynton Kelly, Tal Farlow, Zoot Sims/Al Cohn, Chet Baker and Jeremy Steig. He served

as the house bassist for the Village Gate from 1967 until its closing, performing with Ahmad Jamal, Sonny Stitt, Chico Hamilton and many others. He was also a member of Hellman's Angels, which appeared each Tuesday at the Gate, led by harpist Daphne Hellman. Dr. Christie appears on a number of recordings including those of Hellman, Toshiko Akiyoshi, Mike Mainieri, Lance Hayward, Tal Farlow, and Mike Longo's New York State of the Art Jazz Ensemble, among many others.

At the same time, Dr. Christie pursued his career as a classical musician. This including him serving for half a century as principal bass with both the Yonkers Philharmonic Orchestra and the former Philharmonic Symphony of Westchester. Dr. Christie toured internationally to Germany, Japan, China and India as well as within the U.S. with both jazz and classical musicians. His experiences in Asia made a strong impression on him and guided his personal life.

In the 1980s, Dr. Christie added teaching to his list of accomplishments, taking private students along with adjunct professorships teaching bass and composition, and directing jazz ensembles at Mercy College, the Music Conservatory of Westchester, Western Connecticut State University and at Lehman and Manhattanville colleges. He continued to teach and mentor up

until his final year.

Dr. Christie counted among his personal highlights receiving a fellowship from the National Orchestral Association to study bass with master teacher Homer Mensch of Juilliard, performing at Carnegie Hall several times, and receiving a mayoral tribute for "enriching the cultural, artistic and philanthropic fabric ... through magnificent sharing of exceptional talent ... as bassist, composer and educator who actively plays and composes ... and promoting classical music" in Yonkers in October 2006.

Dr. Christie's experiences in the Depression and as a doctor in rural New Zealand and urban New York reinforced his belief in the need for social justice and responsibility and his active support for the health and well-being of his fellow musicians and friends. His beloved wife, the late Marylyn Christie (nee Lawson), totally supported him in this.

The family is grateful to his friend Diane Braia Rauber for the love and care she provided Dr. Christie. Due to the current circumstances a funeral will not be held. Messages can be sent to the family at [bainesc@hotmail.com](mailto:bainesc@hotmail.com).

He is survived by his daughters Coralie, Megan, Tunde and Sian, brother Gary and sister Wendy McWhinnie (nee Christie).

## EDDY DAVIS

**T**HE **BANJOIST EDDY DAVIS** died on April 7 at the age of 79 due to complications of the coronavirus. He had been a member of Local 802 for over 40 years. He is survived by his daughter Lucie and his longtime life partner, Ruth Miller. Here is a personal remembrance by Local 802 member Scott Robinson:

I've just lost one of the dearest friends I've ever had in music. Eddy Davis was a highly significant and influential presence in my life. He was a fiercely individualistic performer, a veteran of the old Chicago days when music was hot, joyful, exuberant and unselfconscious. He was a character and a curmudgeon, who could hold court for hours after the gig. And he was also a loving mentor who helped younger musicians like myself learn and grow in this music.

I had only played with Eddy a handful of times when he called me in late 1998 to say that he was forming a new band to fill a weekly Wednesday spot at the Cajun on 8th Avenue. He wanted me to play lead on C-melody saxophone, in a little group with two reeds, and no drums. This by itself gives a clue to what an original thinker he was.

I already knew that Eddy was a proficient and highly individualistic stylist on the banjo, who sounded like no one else. What I didn't know, but soon found

# REQUIEM

out, was that this man was also a walking repository of many hundreds if not thousands of tunes of every description, ranging far beyond the standard repertoire, with a fascinating background story at the ready for nearly every one. I quickly learned that he was also a prolific and idiosyncratic composer himself, with a wonderfully philosophical work ethic: Write original music every day, keep what works, and throw the rest away without a backward glance.

Eddy was also what used to be called a “character”: affable, opinionated, hilarious, and irascible all in one, and above all highly passionate about music. What I learned over the ensuing 7.5 years in Eddy’s little band, I cannot begin to describe. I came to refer to those regular Wednesday sessions as my “doctor’s appointment” – for they fixed whatever ailed me, and provided the perfect antidote to the ills of the world, and of the music scene. Over the years we were graced with the presence of some very distinguished musicians who came by and sat in with us, including Harry Allen, Joe Muranyi, Bob Barnard, Howard Johnson, and Barry Harris.

Eddy was generous with his strong opinions, with his knowledge and experience, and with his encouragement. But he was a generous soul in other ways as well. When he heard that I was building a studio (my “Laboratory”), he had me come by his apartment and started giving me things out of his closets: a Roland 24-track recorder, three vintage microphones, instruments... things that I treasure, and use, every single day of my life. When my father turned 75, Eddy came out to the Lab in New Jersey and played for him, and wouldn’t take a dime for it.

When I got the call last night that Eddy had passed – another victim of this horrible virus that is ruining so many lives, and our musical life as well – I hung up the phone and just cried. Later I went out to my Laboratory, and kissed every single thing there that he had given to me. How cruel to lose such an irreplaceable person... killed by an enemy, as my brother David comment-

ed, that is neither visible nor sentient.

One night at the Cajun stands out in my memory, and seems particularly relevant today. It was the night after the last disaster that changed New York forever: the World Trade Center attack. There was a pall over the city, the air was full of dust, and there was a frightful, lingering smell. “What am I doing here?” I thought. “This is crazy.” But somehow we all made our way to the nearly empty club. We were in a state of shock; nobody knew what to say. I wondered if we would even be able to play.

We took the stage, looked at each other, and counted off a tune. The instant the first note sounded, I was overcome with emotion and my face was full of tears. Suddenly I understood exactly why we were there, why it was so important that we play this music. We played our hearts out that night – for ourselves, for our city, and for a single table of bewildered tourists, stranded in town by these incomprehensible events. They were so grateful for the music, so comforted by it.

The simple comfort of live music has been taken from us now. We must bear this loss, and those that will surely follow, alone...shut away in our homes. I know that when the awful burden of this terrible time has finally been lifted – when we can share music, life, and love again – it will feel like that night at the Cajun. My eyes will fill, my heart will sing, and the joy that Eddy Davis gave me will be with me every time I lift the horn to my face, for as long as I live.

– Scott Robinson

## AL FERRARI

**M**Y FATHER AL FERRARI, 90, a bass player and a member of Local 802 since 1948, died on April 15. Al was one of six brothers born in Brooklyn to immigrant parents Angelina and Umberto Ferrari. As a young man, Al loved to play baseball. He was scouted to play with the Yankees but was drafted into the military. After returning home from service, Al got married to Lillian, the love of his life, and

made a living working in a hat factory, working as an assistant plumber and doing many other jobs. Al had a love for working on cars and always lent a helping hand to all who crossed his path. He was also known as “Mr. Fix-it.” Then mom bought dad a guitar and a bass – and the rest, as they say, was history. He clearly had a God-given talent and was able to play any instrument he picked up with such feeling. He also had a great singing voice and was a legendary scat singer. His personality led him to many friends (young and old), opportunities and music connections across many genres. He lived most of his life playing music and singing between New York and Florida. He was known for his heart, incredible talent, generosity and kindness. He played with everyone from local musicians to top stars, including Benny Goodman, Tommy Dorsey and Louis Armstrong. He also played with the Lester Lanin Orchestra in New York and the Barry Herman Orchestra in Florida. Al also appeared on the Tonight Show with Doc Severinsen. Not a moment goes by that dad isn’t here by our side. We all loved sitting around hearing his many stories. He left us his love and gift of music. I play guitar, my brother Al plays drums, and my dad’s grandson Christian is being taught by Al’s close friend, Gene. Christian played piano for his grandpa every day. This brought Al such comfort and joy and Al couldn’t be more proud to share the love he had for music with his grandson. What a life my dad led. So many memories: mom and dad’s great love, big band rehearsals in the basement while mom cooked for everyone, dad helping me with all my projects, seeing my dad and brother go off to open for Marvin Hamlisch, and seeing my dad being the best grandpa to my son. There are no words to express the gratitude and love I felt every day – and wherever we went, everyone knew him and loved him. Heaven is jamming now that Al is there. We are sad down here, but the love and memories wrap around us like a big hug. I also want to tell my dad, “Love you, dad, bigger than the world. The main thing.” My

dad is survived by myself, his son Al Jr., his grandson Christian, his wife Lillian (with whom he was married for 68 years), and his nieces and nephews.

– Lillian Ferrari

## DR. JANET GRICE

**D**R. JANET GRICE, 64, died on March 31 from complications of a three-year battle with multiple myeloma. She was a bassoonist, bandleader, improviser and educator, and had been a Local 802 member since 1983. She will be remembered for her joyous life, irrepressible vigor, unbounded passion and personal and professional accomplishments. Dr. Grice was that rare thing, a musician equally at home in the jazz and classical worlds. A skilled improviser and innovator on the bassoon, she introduced many musicians in the Boston and New York areas to the joys of Brazilian music, acquired from her many trips to Brazil and tireless research and performances of that country’s popular and classical music. She also performed in a wide range of other musical styles with artists including Karl Berger, Butch Morris, Hermeto Pascoal, Leroy Jenkins, Bernie Worrell, the Weekly Reederers, Julius Hemphill and the Westchester Symphony Orchestra. Dr. Grice founded the woodwind group Vento Trio and a quintet with fellow bassoonist Paulo Siqueira, with whom she had recently released a CD of Brazilian music called Prozeas for Bassoon. A frequent sub in the Mingus Orchestra, she once moved Sue Mingus

CONTINUED ON PAGE 34

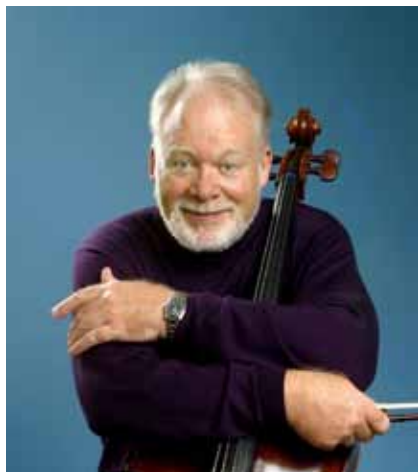
## WE ALSO REMEMBER . . .

Ryo Kawasaki, guitar  
Marilyn K. Smith, violin  
Donn Trenner, piano

To report the death of a member, send an e-mail to Jen Cronin at [Jcronin@Local802afm.org](mailto:Jcronin@Local802afm.org). Survivors should also contact the AFM Pension Fund at [www.afm-epf.org](http://www.afm-epf.org).



# REQUIEM



LYNN HARRELL



PHOTO: WALTER KARLING

ELAINE HOWARD



HARVEY SCHNEIDER



DR. PAUL SHELDEN

## FROM PAGE 33

to tell the audience at NYC's Jazz Standard, "Do you have any idea how *special* this woman is?" Dr. Grice produced six CDs of Brazilian and original music, was awarded grants from Fulbright, NEA, USArtists International, and Surdna, and taught and performed in Brazil at the Festival de Música de Londrina. She earned degrees from NYU and the New England Conservatory of Music, and earned her doctorate from Rutgers University. A resident of Yonkers, she was active in that city's arts community and served on the board of Yonkers Arts. As an educator, she led international workshops on bassoon technique and jazz improvisation, served as professor of bassoon at the Hoff-Barthelson Music School, taught private students and was a woodwind clinician and adjudicator. She directed instrumental music at Fordham High School for the Arts, where she raised money to purchase instruments, send her students to music camp, and finance a professional-level CD of their playing called Fordham Road. Dr. Grice, who was born in Massachusetts on Oct. 2, 1955, is survived by her two sons, Travis Lloyd and Skyler Lloyd, their father Jocko Lloyd, her sister Nancy Grice, her niece Carrie Erving (the vocalist "Shrines") and nephew Alex Erving, her companion Santiago Edie, and the countless devoted friends, students and fans who cherish her memory.

## LYNN HARRELL

**L**YNN HARRELL, 76, a cellist and a member of Local 802 since 1974, died on April 27. A consummate soloist, chamber musician, recitalist, conductor and teacher, his work throughout the Americas, Europe and Asia placed him in the highest echelon of musicians. Mr. Harrell was a frequent guest of many leading orchestras all around the world, and he toured extensively. In 1999, Mr. Harrell was featured in a three-week "Lynn Harrell Cello Festival" with the Hong Kong Philharmonic. He regularly collaborated with James Levine, Sir Neville Marriner, Kurt Masur, Zubin Mehta, André Previn, Sir Simon Rattle, Leonard Slatkin, Yuri Temirkanov, Michael Tilson Thomas and David Zinman, among others. Mr. Harrell also enjoyed working with violinist Anne-Sophie Mutter and pianist André Previn. In January 2004 the trio appeared with the New York Philharmonic performing the Beethoven Triple Concerto with Maestro Masur conducting. An important part of Mr. Harrell's life was summer music festivals, which included appearances at the Verbier Festival in Switzerland, the Aspen and Grand Tetons festivals, and the Amelia Island Festival. In 1994, Mr. Harrell appeared at the Vatican with the Royal Philharmonic in a concert dedicated to

the memory of the six million Jews who perished in the Holocaust. The audience for this historic event, which was the Vatican's first official commemoration of the Holocaust, included Pope John Paul II and the chief rabbi of Rome. That year Mr. Harrell also appeared live at the Grammy Awards with Itzhak Perlman and Pinchas Zukerman, performing an excerpt from their Grammy-nominated recording of the complete Beethoven String Trios. His discography included more than 30 acclaimed recordings. Lynn Harrell's experience as an educator was wide and varied. From 1985 to 1993 he held the international chair for cello studies at the Royal Academy in London, where he eventually was appointed head of the school. He also served as artistic director of the orchestra, chamber music and conductor training program at the L.A. Philharmonic Institute and taught cello at Rice University's Shepherd School of Music. Lynn Harrell was born in New York to musician parents. He began his musical studies in Dallas and later studied at Juilliard and Curtis. He is the recipient of numerous awards, including the first Avery Fisher Award. In 2010, he and his wife, violinist Helen Nightengale, founded the HEARTbeats Foundation, a charity that allowed children in need to harness the power of music to better cope with the extreme challenges of poverty and conflict in

hope of creating a more peaceful, sustainable world for generations to come. Besides his wife Helen, Mr. Harrell is survived by his children Eben, Kate, Hanna and Noah, and his sister Jane. This obituary was based on the bio on Mr. Harrell's Facebook page.

## ELAINE HOWARD

**E**LAINE HOWARD, 69, a staff member of Local 802 for almost four decades, died April 21. In a tribute to Ms. Howard's family, the officers of Local 802 said, "We write to you today on behalf of the officers, the Executive Board, staff and membership of Local 802 to offer our deepest sympathy and condolences on the passing of dear Elaine. For 39 years, Elaine brought her dedication, sweet personality and positive spirit to her work at our union. Over those decades she made many meaningful and lasting friendships with her co-workers. All of us are now mourning her loss and we are in disbelief that she has been taken from us so suddenly. As the gentle, welcoming telephone voice of Local 802, Elaine was known far and wide by members and our business partners. That voice has now been stilled and it will be sorely missed in the days ahead and for years to come. We are sad that the current health crisis prevents a memorial service that would be open

# REQUIEM



LEO URSINI

to all of Elaine's friends and co-workers. Please know that we are with you all in spirit at this sad time, and that we are thinking of Elaine's grandchildren and great-grandchildren, too. May she rest in peace." Ms. Howard is survived by her husband and her family members Michelle, Eric and Alexis. Allegro received two tributes from fellow staff members:

FRAN KAYNE: "I first met Elaine in August 1988, when Local 802 was located on 42nd Street. She was in charge of the mail and supply room. She could split a 500-page set of dot-matrix printer paper better than any of us. She became 'Ma Bell' when she took over as receptionist/switchboard operator a year or so later. For me, that nickname was partly because she was the operator, but also because Elaine really was a mother: her daughter Michelle also worked at 802. I called her Ma Bell as often as I called her Elaine. I think she made a great face for 802. Elaine was always happy to help any of us when needed. She stuffed thousands of envelopes for me through the years. I think my favorite thing is the friendship she developed with my father. He was a flirt, especially over the phone, and they'd chat a short while whenever he called. They became friends over the years and sometimes I think he called to speak to her, not me! She never stopped asking after him when he stopped calling the switchboard."

GREG VENUTO: "Elaine was like a second mother to me. Thirty-three years ago, she was my supervisor at Local 802 who allowed me to pass my probationary status to become a full member of the staff. I will be forever grateful. She and her family became mine as well. When you spend decades with someone, you can form a strong bond. She called me every day, right up to her passing, even when the Local 802 building was closed due to the quarantine and we were all at home. They say in times of hardship, you really find the people who care about you. Elaine called me because she cared. She was one of those beautiful souls who was caring and loving to so many. She touched so many others and will always be in my heart."

## HARVEY SCHNEIDER

**H**ARVEY SCHNEIDER, 88, a bandleader, saxophonist and music teacher, died on April 13 due to Covid-19. He had been a member of Local 802 since 1953. Mr. Schneider earned a graduate degree in management from Columbia University and worked in a family business before becoming a full-time musician in the 1960s. We received the following note from his family: "Music was the sustenance of Harvey's life. He will be sorely missed, and never forgotten by his two brothers, his niece and nephews, their families, and all whose lives he touched." The family is soliciting donations in Harvey's memory to a number of organizations, including the Local 802 Musicians' Emergency Relief Fund (<https://erf.local802afm.org/donate>) as well as the National Foundation for Infectious Diseases.

## DR. PAUL SHELLEN

**D**R. PAUL SHELLEN, 79, a professor Emeritus of music at Brooklyn College and an influential woodwind performer and educator, died on April 17 due to complications from Covid-19. He had been a member of Local 802 since 1956.

As assistant director at the Conservatory of Music at Brooklyn College,

and inspired by his time playing under Leonard Bernstein, he spent decades producing and conducting concerts for young people, bringing classical music to hundreds of thousands of Brooklyn public school students.

A native of Brooklyn, Dr. Shelden was a musician from the start -- as a child he performed on Ted Mack's Original Amateur Hour alongside his identical twin brother, before later becoming the youngest band director in the Catskill Mountain resorts. It was there that he met his lifelong wife, after she sang with his band. He would go on to earn multiple degrees from Juilliard, to perform and conduct in a wide range of genres, including classical, opera, jazz and klezmer, in numerous venues (including Carnegie Hall, Radio City Music Hall, the Kennedy Center, and the White House), but also Broadway pits, recording studios and radio programs. In popular music, he worked with luminaries such as Bob Hope, Rosemary Clooney and Tony Bennett, and played with groups ranging from Blood, Sweat & Tears to the famous Lombardo orchestra, ushering in the televised New Year's Eve festivities for years. In classical music, Dr. Shelden performed under the batons of conductors such as James Levine, Robert Shaw and Leonard Bernstein, and premiered works written specifically for him, including at Carnegie Hall. As an academic, with a doctorate from the University of Maryland, he published widely about pedagogy and performance and adjudicated numerous competitions and programs.

In his later years, he founded his own musical instrument company, Diplomatte Musical Instruments, where he oversaw the design and manufacture of woodwind instruments made in China. He battled Parkinson's disease, even in a somewhat literal sense, as he became a devoted participant in the Rock Steady Boxing program (a noted Parkinsonian therapy) at the New York Institute of Technology). In this way, he carried on the legacy of his father, himself a boxer in his youth. But Dr. Shelden continued to perform, even into his final months, including with Long Island's North-

winds Symphonic Band.

His son, Seth Shelden, a musician and performer in his own right -- among his credits is years of playing Harpo Marx (and Harpo's instruments) in the first-ever revival of the Marx Brothers' first-ever Broadway show -- is also a law professor at CUNY Law, and part of the team that was awarded the 2017 Nobel Peace Prize.

Dr. Shelden's wife of 51 years, Dr. Pamela Shelden, a lifelong educator who spent most of her career teaching at Stuyvesant High School, is also sick with Covid-19. Their daughter Dr. Loren Napoli is a school psychologist living in White Plains with her husband Rocco and children Helena and Gregory. Dr. Shelden is also survived by his identical twin brother Aaron Shelden, who also joined Local 802 in 1956 and now works in financial services.

## LEO FRED URSINI

**"M**USIC IS NOT what comes from your head; it's what comes from your heart." This meaningful quote by Buster Williams personifies the musical talent and career of my husband Leo Ursini. When he left the professional and personal life he loved on Jan. 24 at the age of 82, the world lost a musical legacy. He was a giant in his great heart, his perceptive soul, his charisma and in the gift of music he gave to the world.

He was born in 1937, the only child of Angelina and Fred Ursini. His father, Fred, a graduate of Juilliard, was also a well known and talented professional musician. He was Leo's only teacher. At the age of 3, Leo was playing the violin at neighborhood events. By the time he was 14, he was appearing regularly on the weekly "Star Time for Television Kids" show. He attended John Adams High School (class of 1953), where he always received standing ovations for his clarinet performances, especially of "Rhapsody in Blue." He joined Local 802 in 1955. Then he attended the Manhattan School of Music where he earned a bachelor's degree in music

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# REQUIEM

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(class of 1957) and a master's degree in music education (class of 1958). During the Korean War, he served in the Army and played in the Army Band.

Leo's musical career was as diversified as his talent and expertise on clarinet, saxophone, flute and piccolo. He became the conductor-arranger of the world-famous Peter Duchin orchestra and gained acclaim for his charismatic, dignified leadership and versatile musicianship. He and the orchestra became the preferred choice of elite patrons across America and abroad.

Leo's journey as a musician also led him to play with the bands that backed Judy Garland, Tony Bennett, Aretha Franklin, Barbra Streisand, James Brown, Liza Minnelli and Donna Summer, to name a few. He also had the opportunity to perform with the Four Tops, Temptations, Supremes, Jack Jones, Rich Little, Diahann Carroll, Johnny Mathis, Peter Nero and Tom Jones.

In addition, he has been part of the ensembles of great musical artists such as Benny Goodman, Buddy Rich, Lionel Hampton, Maynard Ferguson, Les and Larry Elgart and Tito Puente. He also enjoyed the times he performed with the CBS Staff Orchestra for the Ed Sullivan Television Show, backing up famous singers and groups.

Furthermore, with the Peter Duchin Orchestra, Leo and the musicians played at the inaugural balls of several U.S. presidents. He also performed for Princess Grace Kelly in Monaco.

On the Broadway scene, he had a chance to play in the pit orchestras for some box office hits such as "Woman of the Year," "Sugar Babies" and "Dancin'." He can also be found in the movies, performing in the wedding scenes of "Working Girl" and "When Harry Met Sally."

A highlight of Leo's musical career occurred when he took a sabbatical from his profession as a high school music teacher to tour with Frank Sinatra, Dean Martin and Sammy Davis. He always referred to this as a phenomenal musical experience with the greatest of musicians. Also, for decades, Leo loved his

years performing in New Orleans with the renowned Jimmy Maxwell Orchestra. He not only played at all the famous Mardi Gras balls and on the grand parade floats, but also wrote and arranged original music themes for the majestic ritual ceremonies that were spectacular events of the Mardi Gras festivities.

Later on in his musical career, he established his own orchestra, the Music Masters company and continued to bring music of distinction to parties and special occasions with his fellow musicians. At home on Long Island, Leo loved working with Lou Panacciulli for the Nassau Pops and in recent years, with Steve Perrillo and the 18-piece New Millennium Jazz Band. Leo attended rehearsals and performances with this big band during the most challenging times of his illness, and the fellow musicians supported and sustained him like family. On Feb. 26, the entire band hosted a special memorial tribute for Leo. In his honor, they played his favorite tunes and reminisced about their unique experiences together.

Leo was not only passionate about his career as a professional musician, but also about his inspirational role as an incredible music educator. He began his tenure in the New York City Public School system, then moved on to teach in Freeport, Massapequa, Sewanhaka and the Lawrence School Districts. His students were a great source of pride and affection for him. He encouraged, motivated and brought out the musical best in all of them through his teaching, conducting, marching band and class lessons. Many students became professional musicians themselves and they remained good friends throughout their lifetime.

While he was a teacher in the Lawrence Public Schools, Leo arranged the instrumental music for an original song called "The Gifts of Life." It was written to commemorate the life of a young man who was killed in a tragic car crash, but his organ donations saved many lives. This song was sung and played at the Lawrence Philharmonic's spring concert and created a powerful perfor-

mance that addressed tragedy and pain through the experience of music.

Also, for 25 years, until last spring, Leo served as an adjudicator for the New York State School Music Association. He loved judging and listening to the talented young musicians play their instruments and wrote glowing evaluations of their performances which enabled them to join bands and orchestras on district, county and state levels.

Leo loved to play his instruments, lead a job and share jokes and experiences with his musicians and friends. He always radiated energy and enthusiasm when he was in his element. Musicians enjoyed performing with him on the bandstand whenever he led a job. He was confident, intuitive and perceptive about the music needed to make every event and occasion a success.

His knowledge of all genres of music was boundless. He had a great love and appreciation for Latin music. He had a repertoire of tunes in his mind and always performed with all his heart and soul. He could listen to classical music and name the composer, or hear a jazz composition and name the performer. He could write music with great ease, arrange and conduct, recall countless

tunes or lyrics from every musical decade....and it was all in every fiber of his being! Leo's talent and music kept him joyful and motivated, gave him courage and strength and thankfully, he was able to play to the very end of his life.

This past Dec. 9, 2019, despite the progression of his illness and the fact that he was on oxygen, he performed on a record date in Astoria, Queens with some of his best musician friends. His performance for five hours was incredible and, fortunately, we have that CD. It was the last time he played his saxophone.

Leo most definitely was a "giant" in many aspects of his life. He is a veritable legacy...as a professional musician, as a music educator and to the family he loved so very much. He was my beloved husband for 46 years, extraordinary father to Angela Maria (and her husband Angelo), James Fred (and his wife Noreen) and adored grandfather to Mario, Jacob, Liliana and Antonia. Leo Ursini was absolutely the best of the best! He will be truly missed, but he will live forever in the hearts and minds of those whose lives he touched!

— Antoinette L. Ursini  
angel5129.au@gmail.com

## OBITUARIES IN ALLEGRO

**TO REPORT THE DEATH** of a member, send an e-mail to [Jcronin@Local802afm.org](mailto:Jcronin@Local802afm.org). Be sure to ask about the union's death benefit (there are certain eligibility requirements).

**IF YOU HAVE** any reminiscences, memories or stories about deceased musicians on these pages, please e-mail them to [Allegro@Local802afm.org](mailto:Allegro@Local802afm.org)

**SURVIVORS OF DECEASED MEMBERS** should contact the AFM Pension Fund at (800) 833-8065, ext. 1311 (or [www.afm-epf.org](http://www.afm-epf.org)) to ask about any possible benefits.

**TO SUBMIT AN OBITUARY** to Allegro, e-mail Allegro editor Mikael Elsila at [Allegro@Local802afm.org](mailto:Allegro@Local802afm.org) or call (646) 765-9663. Photos and personal essays are also welcome.



# PETER ROSENSTEIN, D.M.D., P.C.



Twenty years ago, Dr. Peter Rosenstein, 64, a New York City Dentist, began taking trumpet lessons. He also attended music school in Cuba. He now plays in various Latin and Jazz ensembles and also on Sundays for St. Cecilia at a Spanish Mass. In the meantime he has created a small music museum in his dental operatory featuring, among other things, autographed trumpets by Herb Alpert and Wynton Marsalis. Being a trumpet player, has also given Dr. Rosenstein insight into the special dental concerns of other brass and woodwind players. Even the slightest change in the dentition can affect the embouchure and therefore the ability to play and the sound produced. As a result, he has treated numerous musicians over the years.

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## EXECUTIVE BOARD MINUTES

### Tuesday, April 7, 2020

Meeting called to order at 11:09 am by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice President Fisher, Recording Vice President Schwartz, Executive Board members Axelrod, Cohen, Davis, Donovan, Frawley, Hoyt, Kainuma, Paisner, Shankin.

President Krauthamer reported on matters pertaining to unemployment insurance for board members.

Discussion held.

Krauthamer reported on the AFM adoption of waivers of membership dues during the pandemic.

It was moved and seconded to adopt the following Local Union emergency pandemic policies effective as of March 1, 2020 and through June 30, 2020, in accordance with those adopted by the AFM IEB:

Local 802 will waive its bylaw requirements for any or all of late fees and reinstatement fees for its members who fail to pay quarterly membership dues in accordance with the local's dates for such.

Local 802 will provide an extension on the automatic suspension or termination/expulsion of its members who fail to pay quarterly membership dues, to occur not later than six months from the first day of the period for which such dues would have been paid.

Local 802 will conduct its meetings of the Executive Board and committee meetings via electronic means (telephonic and videoconference) in accordance with the AFM IEB policies for holding electronic meetings. Such meetings will be held via Zoom or similar online technologies.

Local 802 will suspend its membership meetings until such time as public health officials deem it reasonably safe to resume public gatherings.

Discussion held.

Motion numbers #1 and #2 tabled, awaiting specific dates and language and pending an email poll of the board.

Motion #3 and #4 approved unanimously.

It was moved and seconded to allow elections and ratifications via secret ballot in accordance with AFM sanctioned

election software.

Discussion held.

Motion carried unanimously.

Board recessed at 12:16.

Board reconvened at 12:29.

Krauthamer reported on a conference call with The Broadway League and COBUG representatives on matters pertaining to continuation of health care coverage for employees.

Discussion held.

Member Ann Kim, Chair, Orchestra Committee, Mostly Mozart Festival Orchestra, present.

Financial Vice President Fisher and Kim reviewed a memorandum of agreement between Local 802 and Mostly Mozart Festival.

Discussion held.

Kim excused.

It was moved and seconded to approve the memorandum of agreement with Mostly Mozart Festival.

Discussion held.

Board recessed at 1:22.

Board reconvened at 1:27.

Controller Emelianova present.

Emelianova presented the January and February financial report.

Discussion held.

Emelianova excused.

Recording Vice President Schwartz reported on preparations by the Part-time Jazz faculty committee for the negotiation of a successor collective bargaining agreement between Local 802 and The New School.

Discussion held.

Fisher reported that American Symphony Orchestra has received an agreement from AFM Electronic Media Services Division to stream performances during the COVID-19 pandemic.

Discussion held.

Executive Board member Frawley reported on a conversation with a member pertaining to work dues.

Discussion held.

Adam excused. Meeting adjourned at 1:58 pm.

### Tuesday, April 14, 2020

Meeting called to order at 11:09 a.m. by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice President Fisher, Recording Vice President, Executive Board members Axelrod, Cohen, Davis, Donovan, Hoyt, Kainuma, Paisner, Shankin.

Minutes of April 7, 2020 to be reviewed and approved via email.

President Krauthamer requested confirmation of an email poll in which the board approved for payment an invoice from Kevin Case of Case Arts Law for work on the negotiations between Local 802 and New York City Ballet.

It was moved and seconded to confirm the results of the board poll.

Discussion held.

Motion carried unanimously.

Krauthamer requested confirmation of an email poll in which the board adopted policies pertaining to the collection of Local 802 membership dues, and the temporary cessation of local membership meetings, during the COVID-19 pandemic.

It was moved and seconded to confirm the results of the board poll.

Discussion held.

Motion carried unanimously.

Krauthamer reported that he had sent a letter to AFM requesting a 90-day extension of Local 802 payments of the per capita dues.

Discussion held.

Krauthamer reported that the board will meet to discuss financial costs and planning for the fiscal year in light of the impact of the pandemic.

Discussion held.

Krauthamer reported that an online gala was being planned by Metropolitan Opera.

Discussion held.

Krauthamer reported on the completion of the arbitration between Local 802 and New York Philharmonic and the expected receipt of an invoice from arbitrator Richard Bloch.

Discussion held.

Krauthamer reported on the status of negotiations for a collective bargaining agreement between Local 802 and DCINY.

Executive Board member Frawley present at 11:29.

Discussion held.

Krauthamer reported on matters pertaining to Broadway musicians and their coverage under the Local 802 Musicians Health Fund.

Discussion held.

Krauthamer reported on the proposed stream of a film of the Disney on Broadway 25th Anniversary Concert to benefit Broadway Cares/Equity Fights Aids.

Discussion held.

Board recessed at 12:20.

Board reconvened at 12:34.

Member Steven Behnke present.

Behnke presented a proposal for

broadening coverage of members' engagements under union agreements.

Discussion held.

Behnke excused.

Financial Vice President Fisher reported on financial matters at the local.

Discussion held.

Fisher reported that Bronx Arts Ensemble is creating new content for online distribution.

Discussion held.

Fisher reported that Orpheus Chamber Orchestra is considering the creation of new content online with compensation to the members.

Discussion held.

Fisher reported that Stamford Symphony has released a performance online under the terms of its Integrated Media Agreement.

Discussion held.

Fisher reported that Queens Symphony will elect two orchestra members to its board of directors.

Discussion held.

Fisher reported that she will confer today with American Ballet Theatre regarding maintenance of health care coverage for the orchestra during the pandemic.

Discussion held.

Fisher reported that the new memorandum of agreement between Local 802 and Mostly Mozart Festival is in the process of being ratified.

Discussion held.

Recording Vice President reported on the work by staff ongoing in the Recording Department during the pandemic to ensure musicians receive wage and residual checks.

Discussion held.

Discussion held on recent donations to the Local 802 Emergency Relief Fund.

Meeting adjourned at 1:49 p.m.

### Tuesday, April 21, 2020

Meeting called to order at 11:10 a.m. by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice President Fisher, Recording Vice President Schwartz, Executive Board members Axelrod, Cohen, Davis, Donovan, Frawley, Kainuma, Paisner, Shankin.

Minutes of April 14, 2020 to be reviewed and approved via email.

President Krauthamer announced that an email will be sent to members regarding financial grants offered by the Musicians Assistance Program and other services

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## EXECUTIVE BOARD MINUTES

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available to members, and reported on the updated ERF Web site and the new ERF Facebook page.

Discussion held.

Krauthamer reported on recent union political activities.

Discussion held.

Krauthamer reported on the Not for Profit Off Broadway collective bargaining agreement.

Discussion held.

Krauthamer reported that he would be speaking at an online meeting with graduate music students attending Yale University.

Discussion held.

Krauthamer reported on conversations with Broadway musicians and contractors regarding matters pertaining to Local 802 Musicians Health Fund and the pandemic.

Discussion held.

Krauthamer reported on matters pertaining to the Health Fund.

Discussion held.

Krauthamer reported on financial projections for the local during the pandemic.

Discussion held.

Board recessed at 12:37.

Board reconvened at 12:48.

Financial Vice President Fisher updated the board regarding union finances.

Discussion held.

Fisher reported that she will holding weekly meetings with the finance department.

Discussion held.

Fisher reported on wages and health benefits as proposed to Mostly Mozart Festival Orchestra during the canceled season.

Discussion held.

Fisher reported that she had reached out to Manhattan Concert Productions regarding assistance to its orchestra members and was awaiting a response.

Discussion held.

Fisher reported that she had reached out to rehearsal pianists employed by American Ballet Theatre and was awaiting a response.

Discussion held.

Fisher reported that she would host a videoconference meeting on May 13, 2020 with the Classical Musicians Forum.

Discussion held.

Fisher reported that she would speak

online to a music business class taught by Hank Bordowitz at Bergen Community College.

Discussion held.

Recording Vice President Schwartz reported on work performed by staff during the closure.

Discussion held.

Schwartz reported on a videoconference meeting with representatives of Apollo Theatre and members of the Amateur Night at the Apollo band to discuss continuation of health coverage during the pandemic.

Discussion held.

Schwartz reported on an Allegro article pertaining to the utility of the AFM Single Song Overdub Agreement during the pandemic, as written by Executive Board member Donovan and other contributors.

Discussion held.

Schwartz reported on requests for streamed performances during the pandemic.

Discussion held.

Schwartz reported on the distribution to members of recording checks during the past week.

Discussion held.

Schwartz reported on videoconference meetings of the Part-time Jazz Faculty Committee of The New School in preparation for negotiations for a successor collective bargaining agreement between Local 802 and the employer.

Discussion held.

Schwartz reported on the participation by member Alvester Garnett of the Mayor's Nightlife Committee in an online roundtable discussion along with representatives of the entertainment industry and Symone Sanders, Senior Advisor to presidential candidate Joe Biden.

Executive Board member Shankin discussed the potential impact of a worldwide financial crisis resulting from the pandemic and offered possible strategies for the local.

Discussion held.

Executive Board member Paisner requested information about staffing at the local during the pandemic.

Discussion held.

Member Cecelia Hobbs Gardner present via videoconference.

Hobbs Gardner proposed the local offer a webinar on financial management during the pandemic, to be presented by Actors Fund of America.

Discussion held.

Hobbs Gardner excused.

Meeting adjourned at 2:14 pm.

### Tuesday, April 28, 2020

Meeting called to order at 11:17 am by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice President Fisher, Recording Vice President Schwartz, Executive Board members Axelrod, Cohen, Davis, Donovan, Frawley, Hoyt, Kainuma, Paisner, Shankin.

Minutes of April 21, 2020 to be reviewed and approved via email.

Financial Vice President Fisher reported that collective bargaining agreements would be expiring between Local 802 and Gay Men's Chorus, Bronx Arts Ensemble, Little Orchestra Society, Orpheus Chamber Orchestra, School of American Ballet, and New Jersey Festival Orchestra.

Discussion held.

Fisher reported that American Classical Orchestra would make contributions to the Local 802 Musicians Health Fund for the remainder of its scheduled concert season under the terms of its collective bargaining agreement with Local 802.

Discussion held.

Fisher reported on her lecture at Bergen Community College.

Discussion held.

Fisher reported on the conclusion of negotiations for a COVID-19 sideletter to the collective bargaining agreement between Local 802 and American Ballet Theatre.

Discussion held.

Fisher reported on matters pertaining to the plans of Mostly Mozart Festival during the pandemic.

Discussion held.

Recording Vice President Schwartz announced the passing of long-time staff member Elaine Howard.

Discussion held.

Schwartz reported on the plan for managing mail during the closure of the union hall.

Discussion held.

Schwartz reported on activities in the Recording Department during the closure.

Discussion held.

Schwartz reported on the streaming of performance videos by members.

Discussion held.

Krauthamer reported on federal subsidies applicable to Local 802 and its members.

Discussion held.

Krauthamer reported on the process for handling requests from employers to stream performance videos during the pandemic.

Discussion held.

Krauthamer reported on matters pertaining to the Local 802 Musicians Health Fund.

Discussion held.

Board recessed at 12:30.

Board reconvened at 12:49.

Krauthamer reported on his call to the Orchestra Committee of Metropolitan Opera.

Discussion held.

Krauthamer reported on his call to the Orchestra Committee of New York Philharmonic.

Discussion held.

Krauthamer reported on the status of negotiations for a collective bargaining agreement between Local 802 and DCINY.

Discussion held.

Krauthamer reported on the COVID-19 sideletter to the collective bargaining agreement between Local 802 and American Ballet Theatre.

Discussion held.

Krauthamer reported on meetings of the Executive Board finance committee pertaining to financial projections for the local.

Discussion held.

Krauthamer and Executive Board members Frawley and Axelrod reported on a recent financial wellness webinar presented by Actors Fund of America.

Discussion held.

Krauthamer reported that a webinar would be presented on May 4, 2020 on the topic of unemployment law.

Discussion held.

Krauthamer reported on a proposed agreement for the streaming of solo performances by Local 802 members for medical staff and patients to be presented by Mayor's Office of Media and Entertainment and NYC Health + Hospitals.

Discussion held.

Executive Board member Paisner requested information of the status of health coverage for Broadway musicians.

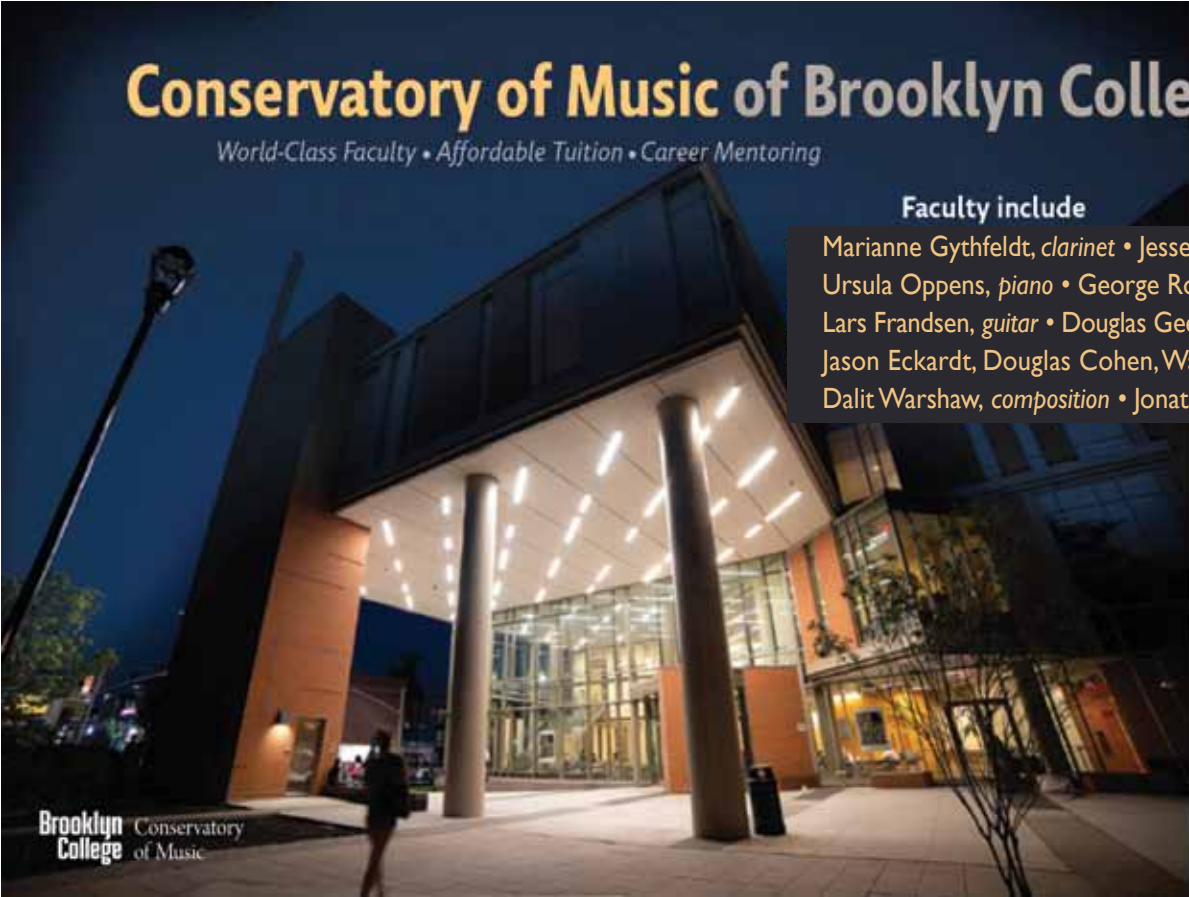
Discussion held.

Meeting adjourned at 1:55 pm.

### Tuesday, May 5, 2020

Meeting called to order at 11:15 am by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice President Fisher, Recording Vice President Schwartz, Executive Board members Axelrod, Cohen, Davis, Donovan, Frawley, Hoyt, Kainuma,

CONTINUED ON PAGE 43



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Dalit Warshaw, *composition* • Jonathan Zalben, *media scoring*

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## EXECUTIVE BOARD MINUTES

### FROM PAGE 41

Paisner, Shankin.

Minutes of April 28, 2020 to be reviewed and approved via email.

President Krauthamer reported on recent AFM agreements for the streaming of live performances.

Discussion held.

Managing Director Kantor present.

Krauthamer called the meeting into executive session at 11:21.

Krauthamer called the meeting out of executive session at 12:05.

Kantor excused.

Meeting recessed at 12:05.

Meeting reconvened at 12:18.

Krauthamer reported on the ERF Songs of Support initiative.

Discussion held.

Krauthamer reported on the matters pertaining to ERF fundraising.

Discussion held.

Krauthamer reported on his conversation with U.S. Representative Yvette Clarke and Senator Charles Schumer on matters pertaining to the impact of COVID19 on union members.

Discussion held.

Krauthamer reported that an unemployment seminar was presented to members by Judy Conti of the D.C. Employment Justice Center.

Discussion held.

Krauthamer reported on his discussions with various AFM local presidents regarding common issues of locals in response to the COVID-19 pandemic.

Discussion held.

Krauthamer reported that he would be speaking with the orchestra committee of New York Philhamonic tomorrow.

Discussion held.

Krauthamer reported that a sideletter between Local 802 and American Ballet Theatre was ratified by the orchestra members.

Discussion held.

Krauthamer reported on the work of the Local 802 Finance Committee.

Discussion held.

Krauthamer reported on matters pertaining to staffing at the local.

Discussion held.

It was moved and seconded to approve certain temporary changes to the staffing at

the local due to the COVID-19 pandemic.

Discussion held.

Motion carried unanimously.

Krauthamer submitted three invoices from Spivak Lipton LLP for legal services as follows: An invoice in the amount of \$893.74 relating to work on the 401(k); an invoice for general services during January 2020 in the amount of \$6,662.50; and an invoice for general services during the month of February 2020 in the amount of \$6,093.75.

It was moved and seconded to approve for payment the invoices from Spivak Lipton LLP as submitted.

Discussion held.

Motion carried unanimously.

Krauthamer reported on matters pertaining to payments due vendors.

Discussion held.

Krauthamer submitted an invoice in the amount of \$60,824.32 from arbitrator Richard Bloch for services pertaining to an arbitration between Local 802 and New York Philharmonic.

It was moved and seconded to approve for payment the invoice from Richard Bloch as submitted and to be paid in monthly installments of \$5,068.69.

Discussion held.

Motion carried unanimously.

Krauthamer reported on the status of Allegro printing.

Discussion held.

Krauthamer excused at 1:55. Financial Vice President Fisher assumed the chair.

Recording Vice President Schwartz reported on recent activities in the Recording Department during the pandemic.

Discussion held.

Executive Board member Axelrod discussed matters pertaining to Legit 802 Inc.

Discussion held.

Axelrod inquired about new rules pertaining to the Tony Awards during the pandemic.

Discussion held.

Executive Board member Hoyt inquired about the allocation of money to Local 802 from Music Performance Trust Fund.

Discussion held.

Meeting adjourned at 2:24 pm.

### Tuesday, May 12, 2020

Meeting called to order at 11:09 am by President Krauthamer via video conference necessitated by the need for social distancing relating to the COVID-19 pandemic. Present: Financial Vice

President Fisher, Recording Vice President Schwartz, Executive Board members Axelrod, Cohen, Davis, Donovan, Frawley, Hoyt, Kainuma, Paisner, Shankin.

President Krauthamer reported on matters pertaining to member performances created on the Zoom video conference application.

Discussion held.

Krauthamer called the meeting into executive session at 11:23.

Krauthamer called the meeting out of executive session at 11:47.

Controller Emilianova present.

Emilianova and Financial Vice President Fisher reviewed the Local 802 financial report for January and February 2020.

Discussion held.

Emilianova excused.

Keith Dressel and Cynthia Lachnicht of Morgan Stanley present.

Dressel and Lachnicht reviewed the status of the Local 802 investment portfolio.

Discussion held.

Dressel and Lachnicht excused.

Board recessed at 12:50.

Board reconvened at 1:08.

Principal Business Rep Weeks present.

Weeks presented a successor collective

bargaining agreement between Local 802 and Roxy Coss LLC and the Emerging Artist Project agreement for renewal.

Weeks excused.

Discussion held.

Krauthamer reported on recent fundraising benefit streams involving Broadway productions.

Discussion held.

Recording Vice President Schwartz excused at 2 pm.

Executive Board member Hoyt took minutes.

Fisher reported on matters pertaining to rehearsal pianists employed by American Ballet Theatre.

Discussion held.

Fisher reported on matters pertaining to Teatro Graticello.

Discussion held.


Fisher reported on matters pertaining to back wages in arrears from Westchester Philharmonic.

Discussion held.

Fisher reported on NYC Central Labor Council and the status of other area labor unions during the pandemic.

Discussion held.

Meeting adjourned at 2:25 pm.



// We had been considering switching wireless carriers for a while. It was attractive to me that AT&T is a union shop.//

JOHN ARBO, AFM

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# NEW AND READMITTED MEMBERS

**Reut Ben-Zeev (vocalist)**  
**Rudolph (Rudy) Bird (percussion)**  
**Christian Mario Cassan (drums)**  
**Alexander M. Claffy (bass)**  
**Richard P. Fiocca (piano)**  
**Tamara Jokic (vocalist)**  
**Simon Matthew Kafka (guitar)**  
**Kamal Khan (piano)**

**Alex Kinmonth (oboe)**  
**Matthias Loescher (guitar)**  
**Lance Massey (synthesizer)**  
**Alan David Moverman (piano)**  
**Jose M. Nicot (violin)**  
**Danny Ray (tenor saxophone)**  
**Calvin Sexton (trombone)**  
**William A. Ware III (vibraphone)**

To join Local 802, visit [www.Local802afm.org/join-today](http://www.Local802afm.org/join-today)

**Local 802's Resource Center contains **curated links and information** that guide members to entrepreneurship opportunities and social services.**

**START HERE:**  
**[www.Local802afm.org](http://www.Local802afm.org)**

● Contact information for the musicians on this page (and for any member of Local 802) can be found in our electronic membership directory. Start at [\*\*http://info.Local802afm.org\*\*](http://info.Local802afm.org) and log in, then click on the DIRECTORY button from the top menu.

● All new and readmitted members of Local 802 are eligible to be interviewed in Allegro in our "Why We Joined the Union" column (see page 28). If you want to participate, send an e-mail to [\*\*Allegro@Local802afm.org\*\*](mailto:Allegro@Local802afm.org).

● The next orientation sessions for new members of Local 802 will resume as soon as possible. For more information, contact Andy Schwartz at [\*\*Aschwartz@Local802afm.org\*\*](mailto:Aschwartz@Local802afm.org). You may join Local 802 anytime at: [\*\*www.Local802afm.org/join-today\*\*](http://www.Local802afm.org/join-today)

# CROSSWORD PUZZLE by BestCrosswords.com

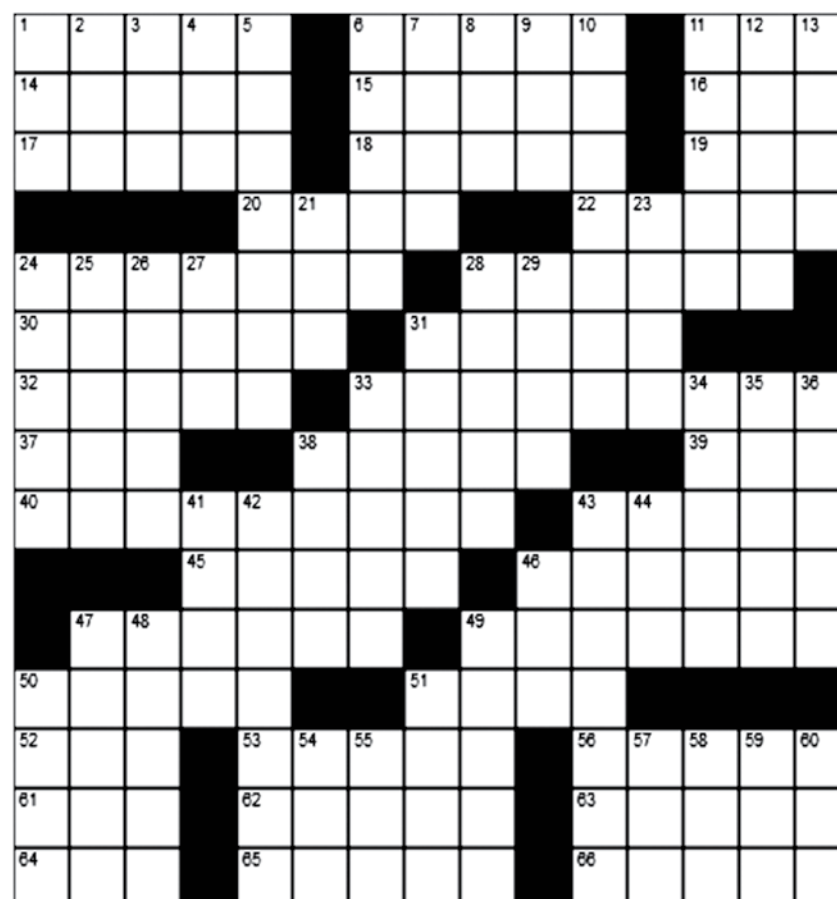
EDITED BY BILL CROW

## ACROSS

- 1 Brass players practice long ones
- 6 Comes up
- 11 Kind of poodle
- 14 Kind of dashboard light
- 15 Out of line
- 16 Farm female
- 17 Conger catcher
- 18 Congo, once
- 19 Retrovirus component
- 20 Langston Hughes poem
- 22 Gives medicine
- 24 Cork
- 28 Came down
- 30 Came close
- 31 Horses and some people have it
- 32 Chipped in
- 33 Kind of trout, or Mack the Knife
- 37 Partner of haw
- 38 Capital city of Yemen
- 39 6, on a phone
- 40 Old form of punishment
- 43 Markers
- 45 Wary
- 46 Baby shoe
- 47 Ring combo
- 49 Artful delicacy
- 50 Make into a statute
- 51 Seemingly forever
- 52 French connections
- 53 Home of Rome
- 56 Render weaponless
- 61 Back muscle, briefly
- 62 Scandinavian
- 63 Silent \_\_\_\_ (Mel Brooks)
- 64 Bond, for one
- 65 Private Pyle
- 66 Gnu cousin

## DOWN

- 1 Band uniform part
- 2 Lyric poem
- 3 Goose egg
- 4 Fair-hiring abbr.
- 5 Like Dixieland vests
- 6 Occam's implement
- 7 Golfer Aoki
- 8 Hit the slopes
- 9 Always, poetically
- 10 Like trumpeter Rolf Erickson
- 11 Concise
- 12 Dominated
- 13 Some votes
- 21 Tenorman Nash
- 23 Unique person
- 24 Catches
- 25 Principle
- 26 Western
- 27 Historic beginning
- 28 Put a new price on
- 29 Organization to promote theater
- 31 Jerome Kern musical
- 33 Illinois city with an Egyptian name
- 34 Leaves out
- 35 Pays to play
- 36 We're Off \_\_\_\_ the Wizard
- 38 Gush
- 41 Composer Wilder
- 42 Kind of zoo
- 43 Devour
- 44 Garden tool
- 46 Coal container
- 47 Like some beer
- 48 Filthy Mc \_\_\_\_ (Horace Silver tune)
- 49 Lobby of a theater
- 50 Catch for 17 across
- 51 Threat, with "or"
- 54 As well
- 55 Escort's offering
- 57 Cambodia's Lon \_\_\_\_
- 58 Actress Gardner
- 59 Oysters \_\_\_\_ season
- 60 Kind of school



## NAME THAT TUNE



ANSWER: "Somewhere Over the Rainbow" (Harold Arlen/Yip Harburg)

For answers, see [www.Local802afm.org/Allegro](http://www.Local802afm.org/Allegro)

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# The Band Room

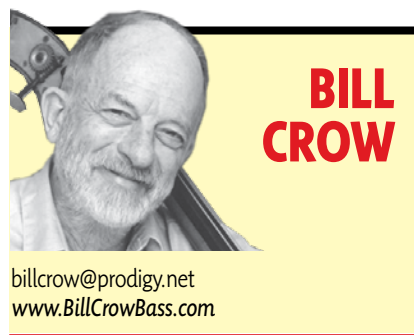
**LEE KONITZ**, who left this world on April 15, was one of the first jazz musicians I met when I came to live in New York City in 1950. I was studying the valve trombone with Lennie Tristano at the time, and met Lee and a number of other Tristano pupils at Lennie's home in Forest Hills. I had admired Lee's playing on several records I owned, and was happy to discover that he was a pleasant, witty guy. After I switched to playing the bass, I played some jam sessions in which Lee took part, and I also worked at the Village Vanguard with a quartet led by guitarist Jimmy Raney, with Lee on alto.



Lee Konitz

Lee had developed a tone and style of his own, and although he loved Charlie Parker's playing, was one of the few modern players of the alto saxophone who didn't use any of Parker's musical vocabulary. He played some of Parker's tunes, as well as some of those written by Thelonious Monk, but he put his own stamp on them.

Lee came in to the Half Note one night when I was playing there. The Half Note was a favorite jazz club, located at Spring and Hudson Streets, not far from the entrance to the Holland Tunnel. Lee had just moved to Hoboken, New Jer-



sey, not far from the other end of that tunnel. He told me he was mad at the tunnel officials who had prevented him from walking under the Hudson River from Hoboken to the Half Note. He had to take a bus.

The last time I heard Lee play live was at Birdland Number Two, when that club was located uptown. Many jazz musicians had gathered there that evening to raise funds for a needy compatriot. Lee just climbed onto the bandstand by himself with his alto and began to improvise. It took me a chorus and a half to figure out the standard tune he was using as a basis for his playing. When I finally recognized a telling chord change, I was able to discover how cleverly and sweetly he was recomposing that song. He always found a way to sing his own song so beautifully.

Jim Hall and I once played a gig with Lee Konitz out on Long Island. I was living on West 20th Street, and I had a Volkswagen that I kept in a garage on

18th Street. I told Jim I would drive him to the gig. Jim and his wife Jane were living in a second floor apartment on West 11th Street at the time. There was never a parking spot on that block, so I told Jim I would pull into the fire hydrant space in front of his building, run in and buzz his buzzer, and wait for him in the car.

Jim didn't want to keep me waiting, so he had his hat and coat on, and his guitar sitting next to his amplifier near the door. As soon as he heard the buzzer he grabbed them both and ran out into the hall. He never made it to the stairway. The power cord on his amp was still plugged into the wall socket, and when he hit the end of the cord length it brought him up short. He discovered that the sudden jolt had pulled the cord loose from the amp, and it had also looped around one of the tubes and crushed it.

Jim came down to my car laughing and crying at the same time. Fortunately, there was an electronics store in the Village where we were able to replace the tube and reattach the power cord, and we made it to the gig on time.



Ellis Marsalis, the New Orleans pianist, who was the father of an extremely talented group of musical brothers, also passed away recently (on April 1), and many obits and articles that were written

about him noted his high quality as a musician and teacher. Art Lillard told me that, In 1981, he had the opportunity to meet Marsalis while on a trip to New Orleans. Art observed him as he taught a class of student musicians, aged 12 to 15, who he said obviously loved Marsalis and the music.

When the class was over, Art introduced himself to Marsalis and asked him for permission to play one of his own tunes for him. Ellis agreed, and Art sat down at the piano and began to play. One of Ellis's students approached him and engaged him in conversation as Art continued to play. When he finished the tune, the conversation was still in progress, so Art began playing another original.

As he finished playing the second tune, Ellis said goodbye to the student and complimented Art on the tunes. He then sat down at the piano and played both of the tunes exactly as Art had done, note for note.

Art was under the mistaken impression that Ellis wasn't listening, but he had been truly hearing it all. Art said, "I was astounded. What giant ears and heart this man had! We will all miss him."



Ellis Marsalis

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## Allegro

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### **UPDATE: JUNE 2020 MEMBERSHIP MEETING**

In accordance with the CDC and AFM Covid-19 guidelines, the June 2020 membership meeting will be postponed until such time as public health officials deem it reasonably safe to resume public gatherings.

*– Adopted by the Executive Board on April 7, 2020*

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