

Board of Fire Commissioners Regular Meeting
Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, March 15, 2011

Call to Order: Chairman Riso called the meeting to order at 1904 hours. A quorum was present.

1. Roll Call

Commissioners Thomas Riso, John Healy, Karen Craig, Richard Smith, Jonathan Bercham and William A. Brennan. Also present were Chief Louis A. LaVecchia, Assistant Chief Robert J. Healey, Assistant Chief Al Zingaro, Union President Paul Geer, Union Vice President Todd Ricci, and Assistant City Attorney Debra Kelly.

Commissioner Howard Stein was excused.

2. Public Statements limited to the function of the Board of Fire Commissioners:

None.

3. Swearing In:

None.

4. Consideration of Minutes:

Regular Meeting - February 15, 2011

Commissioners Craig and Smith made and seconded a motion to accept the minutes of the February 15, 2011, regular meeting as presented. Motion carried unanimously.

Commissioners Healy and Brennan made and seconded a motion to reorder the agenda to take up New Business, Freedom of Information. Motion carried unanimously.

New Business - Freedom of Information, Assistant City Attorney Kelly

Chairman Riso introduced Assistant City Attorney Debra Kelly to discuss Freedom of Information Act compliance.

Attorney Kelly informed the Commissioners that she had recently attended a seminar as a refresher on compliance of the Freedom of Information Act. She explained that the FOI Act serves as “sunshine laws”, so the public can be aware of what the government is doing.

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Attorney Kelly informed the Commissioners of the basic rules for compliance with the FOI Act in conducting meetings of the Board.

1. Posting of the agenda should be done to both the City Clerk and in a public area of Fire Headquarters.
2. Wording of the agenda is to apprise the public of what will be discussed at the meeting.
3. Three types of meetings: regular, special, and emergency.
4. Emergency meetings do not have to follow the same posting requirements; the minutes from emergency meetings must be posted within 72 hours.
5. Items may be added to the agenda in regular meetings only, with a 2/3 vote.
6. Reordering of the agenda must be done with a 2/3 vote.
7. Limited reasons for going into executive session, such as pending litigation, personnel matters.
8. Going into executive session requires a 2/3 vote.
9. No votes are to be taken while in executive session.
10. Executive session may include all the present Board members, and anyone the Board invites in who has testimony or opinion regarding the subject executive session was called for.
11. Minutes should reflect times going in and out of executive session.
12. Minutes should include members present, action taken, when convened, and votes recorded.
13. Minutes for regular meetings should be posted within one week of the meeting.
14. Meetings are open to the public.

Chairman Riso asked if in writing the agenda if the issue of an individual will be discussed, should that name be posted in the agenda. Attorney Kelly answered no, the name of the individual should not be in the agenda, but the agenda should reflect that a personnel matter would be discussed in executive session. The individual being discussed should be notified so they may have the opportunity to request the matter be discussed in open session. She added that it is a good idea to notify that individual in writing (email is acceptable) to keep a good record.

Chief LaVecchia asked if there were any boundaries to adding items to the agenda. Attorney Kelly answered there is no definitive boundary; but it's a good idea to note everything possible on the agenda if it is known about ahead of time.

Attorney Kelly let everyone present know she is available and willing to answer any questions regarding the FOI Act anyone might have.

Commissioners Healy and Brennan made and seconded a motion to reorder the agenda to take up Unfinished Business, Executive Session - Lipton v Board of Fire Commissioners. Motion carried unanimously.

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Commissioners Healy and Craig made and seconded a motion to enter executive session to discuss Lipton v Board of Fire Commissioners. Motion carried unanimously.

The Commissioners invited Chief LaVecchia and Assistant City Attorney Kelly into executive session.

The Commissioners entered executive session at 1940 hours.

Commissioners Healy and Smith made and seconded a motion to return to open session. Motion carried unanimously.

The Commissioners returned to open session at 2012 hours.

No action was taken during executive session.

5. Communications:

a. Thank-you note to the Fire Department, Station 1 from Pack 196, Den 1 from Live Oaks Elementary School, thanking the Department for the opportunity to visit the Station.

b. Thank-you note from Elizabeth Brunstall, thanking the Department for recent help. Enclosed was a \$100 check.

Commissioners Healy and Smith made and seconded a motion to accept the \$100 check and deposit it into the equipment account. Motion carried unanimously.

c. Thank-you letter from Bob Gregory, thanking the Department for coming to his aid on February 17th.

d. Thank-you letter from Foran High School Principal John Barile, thanking Captain Zack for planning and spending a day with the students.

e. Letter from Battalion Chief Bill Healey to Ray Jayduc, thanking him for the use of a bus during the building collapse at 282 Woodmont Road.

f. Letter from Battalion Chief Bill Healey to James Connors, thanking him for his help with the backhoe during the building collapse at 282 Woodmont Road.

g. Letter from Chief James Cavanaugh, thanking the Department for the recent use of the truck.

h. Notice of withdrawal of complaint from Union President Paul Geer to the Board of Commissioners, noting that the file is now closed.

6. Committee Reports

Apparatus

Assistant Chief Zingaro reported that all equipment is in service. They are performing routine maintenance on the cars, and will start maintenance on Marine 1 upon completion.

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East Side Fire Station Building Committee

Commissioner Healy informed the Commissioners that the two lowest bidders were interviewed earlier that day. DeCarlo & Doll, Inc., recommended the Committee accept the lowest bid of \$3,097,000. Commissioner Healy noted that the contractors are aware of the strict timeline of construction, 270 days.

Commissioner Healy added that special inspections of the new station will be done by the Building Department. He then informed the Commissioners that the City Attorney would be going over the contract.

The Building Committee would be meeting next on March 16th.

7. Chief's Reports

Chief LaVecchia reported that the Department is working toward uniform reports from the Battalion Chiefs.

The Chief also reported that it has been proposed that the Connecticut Fire Academy and Post be combined, and that it has been proposed that Homeland Security be moved to the jurisdiction of the State Police.

Chief LaVecchia also reported that the investigation from the recent accident with the Quint had been completed, and that the Department would be implementing hazardous condition driving training.

8. Unfinished Business:

Swap time

Chief LaVecchia reported that issues in the program created by Battalion Chief Baker had been corrected. The Department is still looking into getting scheduling software that would meet all of the needs of the Department.

Union President Geer urged Chief LaVecchia to set a firm meeting date to discuss action on the grievance regarding swap time. He commented that changes had been made without meeting with the committee. Chief LaVecchia informed him he would have a date to meet the next day. Union President Geer told the Chief to contact the head of the committee, Mike Dunn, to coordinate the date for the meeting.

9. New Business:

Board of Finance Budget Cuts

Chief LaVecchia informed the Commissioners that the review with the Board of Finance had been completed. They wanted cuts to reflect the loss of State aid. The Chief reported that the Mayor had contacted him, and after discussion, it was decided that two firefighters and one dispatcher positions would have to be cut. He noted that the cuts would take effect on July 1st.

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Discussion was held by all the Commissioners about the impact the loss of a dispatcher would have on the safety and operation of the Department. The Chief added that he will discuss the loss at his budget presentation next month at the Board of Aldermen meeting and will go into great detail.

10. Comments and Concerns of the Commissioners:

None.

11. Adjournment

Commissioners Smith and Bercham made and seconded a motion to adjourn at 2043 hours. Motion carried unanimously.

Recorded by C. Birney