

Board of Fire Commissioners Regular Meeting
Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, March 20, 2012

Call to Order: Chairman Riso called the meeting to order at 1902 hours. A quorum was present.

1. Roll Call

Commissioners Thomas Riso, John Healy, Karen Craig, Kevin McGrath, and William A. Brennan. Also present were Chief Louis A. LaVecchia, Union President Michael Dunn, and Union Vice President Todd Ricci.

Commissioner 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 21, 2012

Commissioners Craig and McGrath made and seconded a motion to accept the minutes of the February 21, 2012, regular meeting as presented. Motion carried unanimously.

5. Communications:

None.

6. Committee Reports

Apparatus

Chief LaVecchia reported the new rescue truck had been sent back to the factory in Florida for all corrections to be made. He stated the company supplying the truck is embarrassed by the poor quality control surrounding the truck and are making amends by correcting all the issues. Commissioner McGrath inquired if the Department owns the new rescue truck; Chief LaVecchia stated the Department does and the warranty will begin when the truck is returned. Commissioner McGrath further asked how the

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Department inspects new apparatus they receive; Chief LaVecchia stated for the larger apparatus, he and other members of the Department will go to the factory to do their inspection. He added that protocol is not usually followed with the smaller apparatus, such as a rescue truck. The Chief also stated the new rescue truck should be completed within the next couple of weeks. The current rescue truck being utilized is a trade-in truck, and the company providing the new rescue truck is picking up all repair costs associated with the trade-in rescue truck.

Chief LaVecchia also reported the new Sutphin Quint is currently in the assembly line and is expected to be completed and delivered in two months. Tower 1 is now in service after having the hydraulic cylinder replaced.

East Side Fire Station Building Committee

Commissioner Healy stated the project is coming along well. The roof is being completed, along with all the trim and the overhangs. He commented the roofer is doing very well. He said the HVAC system installation has begun; the windows have been ordered and should arrive on-site in two and a half weeks. The estimated completion date is in eight weeks.

7. Chief's Report

Chief LaVecchia reported on the FEMA hose grant, saying the Department is currently testing brands of hoses and nozzles. The Chief commented the EMS billing procedure is moving forward. Commissioner Brennan inquired if more information regarding the EMS billing is available; the Chief stated the details have not been worked out and the project is in its early stages.

The Chief stated he would be approaching Mayor Blake regarding the 2012/2013 budget and request \$10,000 for a battery account. He said there is not currently an efficient system for tracking battery purchases and one is needed. The Chief said he would be making this presentation to the Mayor, who will then present it to the Board of Aldermen on April 24th.

8. New Business

Grievance 12-001 Sick Leave

Chairman Riso noted the background information pertaining to this grievance was included in the Commissioner packets.

Union President Dunn explained it had come to his attention in a meeting with the Chief that members of the union had been spoken to regarding their sick time. He said past practice had been to receive a letter if a union member had used ten days of sick time. He stated presently, union members had been talked to by an Assistant Chief after using five days of sick time. Union President Dunn stated the conversation with the Assistant Chief

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represents the first step in a disciplinary action, in which the Union should be notified so the union member may have representation during the conversation. He added 31 union members had been spoken to about their sick time usage, and they were approached at drills and fire scenes.

Chief LaVecchia stated these conversations have been an ongoing practice of the Department for 15 years. He said they are not disciplinary in nature and the union members were told that when they were spoken to. He said nothing from the conversations is in writing. The conversations were not based on a total number of incidents, but patterns of sick leave.

Commissioner Brennan inquired if these conversations were being held during working hours, meaning the union members were being paid while they were spoken to. The Chief said they were. Commissioner Brennan commented that employers have the right to ask questions of their employees while they are working.

Union President Dunn added the Union and the Chief are contractually supposed to have a meeting yearly on July 1st to discuss sick leave issues, but this has not happened. He also stated the resolve of this current issue would be a letter from the Chief stating these conversations would not be used in any subsequent disciplinary action. The Chief commented that it also states in the contract that verbal reprimands are not considered disciplinary action.

Commissioner Healy said article 5 in the contract refers to the Employee Assistance Program (EAP), and inquired what the status is currently of the Department's EAP. Union President Dunn stated the Department's EAP has been disbanded, but they had been using Lexington Group for some but not all of the services the EAP had previously provided. He added the EAP was being used in a disciplinary manner and the union members heading the program felt backed into a corner.

Commissioner Healy further commented that although the Chief stated the verbal reprimand is not discipline, he understands how the union members might still feel it is discipline. He said the contract is explicit, but the Department current does not have an EAP.

Union Vice President Ricci interjected there are several issues here. He said there have never been meetings between the Union and the Chief to discuss sick time issues. He also said it needs to be clarified if the sick time is calculated per calendar year or per fiscal year. Lastly, when a union member is spoken to, there should be a third party present. Commissioner Brennan stated a third party is not necessary if the conversation is not being used for discipline.

Chief LaVecchia stated he disagrees with the Union. He said the EAP was never used as discipline. He further stated the union members are told when called in that the conversation is non-punitive. As per the contract, the Union is not required to be notified if the action is verbal. The Chief also stated that 99 percent of the time, after the conversation with the union member, the behavior usually stops.

Commissioners Healy and Brennan made and seconded a motion to enter executive session to discuss the grievance. Motion carried unanimously.

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The Commissioners entered executive session at 1950 hours.

Commissioners McGrath and Brennan made and seconded a motion to return to open session. Motion carried unanimously.

The Commissioners returned to open session at 2006 hours.

Commissioners Healy and McGrath made and seconded a motion to deny Grievance 12-001. Motion carried unanimously.

9. Unfinished Business:

Special Leave

Chief LaVecchia reported the most recently found software does not suit the needs of the Department. He said the Department needs an internet-based program. Commissioner Craig suggested researching what other towns use for their scheduling software.

10. Comments and Concerns of the Commissioners:

Commissioner Brennan requested a list of all non-emergency fire vehicles and their purposes and if they are take-home vehicles. The Chief said he would provide a list of all Department vehicles for the next Commission meeting.

Commissioners Brennan and Healy made and seconded a motion to return to agenda item VII, Chief's Report. Motion carried unanimously.

Chief's Report

Commissioner McGrath inquired about the Police Department's radio upgrade and if the Fire Department would benefit from it. Chief LaVecchia stated the Fire Department has access to the Police Department's radio towers, but will not be receiving new radios themselves. The Chief noted that the Police Department utilizes a digital frequency, while the Fire Department utilizes an analog frequency due to the use of breathing apparatus. Commissioner McGrath asked when the Fire Department would need to upgrade their radio system to use the Police Department towers; Chief LaVecchia said 2013.

11. Adjournment

Commissioners Brennan and Healy made and seconded a motion to adjourn at 2013 hours. Motion carried unanimously.

Recorded by C. Birney