

**Board of Fire Commissioners Regular Meeting**  
**Commissioners Conference Room at Fire Headquarters**  
**72 New Haven Avenue, Milford, CT**  
**Tuesday, May 17, 2011**

**Call to Order:** Chairman Riso called the meeting to order at 1903 hours. A quorum was present.

**1. Roll Call**

Commissioners Thomas Riso, John Healy, Karen Craig, Richard Smith, Howard Stein and Jonathan Berchem. Also present were Chief Louis A. LaVecchia, Assistant Chief Robert J. Healey, and Union President Paul Geer.

Commissioner William Brennan 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 - April 15, 2011**

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

**Special Meeting - May 4, 2011**

*Commissioners Craig and Smith made and seconded a motion to accept the minutes of the May 4, 2011, special meeting as presented. Motion carried unanimously.*

Commissioners Stein and Berchem abstained from voting as they were not present at the special meeting.

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**5. Communications:**

- a. Thank-you card to the Milford Fire Department from Mr. and Mrs. Oleschuk of Orange, thanking the Department for their service and help when their daughter went missing.
- b. Thank-you letter from Executive Director Tony Dolan of the Beth-El Center, thanking the Department for their generous donation of a 20-pound ham.
- c. Letter to Mayor Richetelli, copied to Chairman Riso, stating that the borough of Woodmont is interested in acquiring Company 5's station when it is no longer being utilized by the Department. The letter also states they would like to set up a meeting with the Department and the Board of Commissioners.

Chairman Riso commented that the firehouse is under the jurisdiction of the Board only as long as it is being utilized as a fire station. When the building is no longer being used as a fire station, the building becomes the jurisdiction of the City and the Board of Aldermen.

**6. Committee Reports**

Apparatus

Assistant Chief Healey reported that Engine 1 is out of service for routine maintenance. He added that the Quint is undergoing an extensive review, and they hope to have it back in service soon. HazMat 2 is in the shop. Car 9 went into service. Car 15 is being recommended for disposal.

East Side Fire Station Building Committee

Commissioner Healy reported that the project is moving along. The site is presently being excavated, and a few additional trees had been taken down. During excavation, a number of tree stumps were found buried on the site, so a change order had been approved to remove the stumps.

Construction meetings are held every other Monday at the trailer on the site; the next construction meeting would be held on May 23<sup>rd</sup>, which would be a critical meeting to get the project back on schedule.

Commissioner Healy commented that Chief William Healey has been very much involved in this process, and that DeCarlo & Doll are doing very well.

**7. Chief's Reports**

2011/2012 Budget

Chief LaVecchia stated that he would rely on his written report, which was included in the Commissioners' packets. He opened the floor to questions.

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Commissioner Healy inquired if the Chief had received any feedback from the Board of Aldermen regarding the loss of the three positions at the Department. The Chief replied that he had contacted almost all of the Aldermen and that this would be a tough battle. Commissioner Stein commented that he had spoken with some of the Aldermen and there had been some confusion regarding the impact of the loss of personnel, and that he had tried his best to set the facts straight.

Commissioner Healy then added that he believed the memo the Chief had sent to the Board of Aldermen was well put together; he had emailed the Board to endorse the memo.

**8. Unfinished Business:**

FOI complaint: Lipton vs. Board of Fire Commissioners

Chairman Riso explained he had nothing to report on this issue, as a hearing date has yet to be set.

2011/2012 Budget

Chief LaVecchia reiterated that he is trying very hard to get two of the three cut positions reinstated. He added that he would be attending Thursday's budget meeting with the Board of Aldermen.

Keeler Merit CHRO review

Chief LaVecchia referred the Commissioners to the information in their packets regarding this issue.

Grievance 11-003

*Commissioners Stein and Healy made and seconded a motion to amend the agenda and move Grievance 11-003 to New Business. Motion carried unanimously.*

**9. New Business:**

Grievance 11-003

Chairman Riso explained this new grievance is based on the Special Meeting held on May 4<sup>th</sup> and its use of executive session. The Chairman explained the Commissioners had followed the rulings given to them regarding executive session from City Attorney Kelly and Tom Henick of the FOI Commission.

The Chairman expressed an interest in trying to resolve the issue to mutual satisfaction with the Union. He passed out to the Commissioners a proposal, which reads as follows: *Without any admission of wrong doing and to stay within the spirit of the FOI Act, I propose that in the future when the Fire Commission is handling a Grievance, the Fire Commission shall limit the persons invited into executive session to those whose attendance is necessary to present such opinion or testimony - in the event of a grievance,*

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*the chief or designee or a union official - provided that such persons' attendance shall be limited to the period for which their presence is necessary to present such testimony or opinion. If it is not anticipated that an interactive discussion presenting opinion or testimony will take place, then attendance in executive session shall be limited to those individuals who are invited and called upon to give opinion or testimony, one at a time.*

The Chairman stated he had tried to put into words how the Commission would handle future grievances. He added he hoped the Union was in agreement with this.

Union President Geer commented that he felt the proposal is very appropriate. He stated he is reluctant to agree to anything because the complaint has moved to State level. He also commented that the grievance encompasses more than the executive session, as it includes the actual grievance heard during the special meeting on May 4<sup>th</sup>. He then stated he is open to discussion in the future, but that the Board may take whatever action is needed.

Commissioner Healy stated that the proposal is basically an understanding of how the Commissioners held the special meeting.

Commissioner Stein read to the Commissioners the grievance in which the Union claims procedural violations in Articles 1 and 4 of the collective bargaining agreement. He stated he had not yet heard from the Union where they felt those articles were violated, and asked Union President Geer to give a presentation on how he feels the special meeting did not comply, asking for specifics. Union President Geer stated he was not prepared to give a presentation this evening; but the basic facts are that they were not allowed to properly represent their Union Member, and they were not allowed to bring people in to help present at the special meeting.

Commissioner Stein inquired if the Commissioners had an opinion at the special meeting on the procedures used at the meeting. Commissioner Healy answered that the proposal that had been passed out reflects how the meeting was conducted.

*Commissioners Healy and Stein made and seconded a motion to deny Grievance 11-003, based on the present discussion. Motion carried unanimously.*

**10. Comments and Concerns of the Commissioners:**

Chairman Riso congratulated Chief LaVecchia on his 15 years as Chief.

The Chairman informed the Commissioners that Commissioner Bob Diamond had passed away. He commented that Mr. Diamond was a "great Milford guy"; and he asked the Commissioners to keep his family and friends in their thoughts and prayers. Commissioner Healy echoed that sentiment.

**11. Adjournment**

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*Commissioners Smith and Healy made and seconded a motion to adjourn at 1939 hours.*  
*Motion carried unanimously.*

Recorded by C. Birney