

Board of Fire Commissioners Regular Meeting
Fire Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, December 18, 2012

Call to Order: Chairman Riso called the meeting to order at 1900 hours. A quorum was present.

1. Roll Call

Commissioners Thomas Riso, John Healy, Karen Craig, Kevin McGrath, Howard Stein, Richard Smith, and William A. Brennan. Also present were Acting Chief Robert Healey and Union President Michael Dunn.

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

None.

3. Swearing In:

Firefighters Hannigan and Biroscak were sworn in.

4. Consideration of Minutes:
Regular Meeting - October 16, 2012

Commissioners Healy and Craig made and seconded a motion to accept the minutes of the November 27, 2012, regular meeting as presented. Motion carried unanimously.

5. Communications:

None.

6. Committee Reports

East Side Fire Station

Commissioner Healy reported the project is basically at the same point it was at the prior Board meeting. The building has not yet reached Substantial Completion, and a Certificate of Occupancy has not been issued.

Commissioner Healy said he met with the contractor and Attorney Donofrio to discuss the installation of the "house lights". He added that he had a separate meeting with Attorney Donofrio.

Commissioner Healy said the building is 99 percent complete but there are a few critical items that remain to be completed.

Chairman Riso inquired if the radiant heaters had been moved. Commissioner Healy said shields have been installed. The manufacturer's representative came to the site to remediate the issue. The angle iron has not been moved as of yet.

Commissioner Healy said the preliminary report from the commissioning company IES has been submitted. He noted the Committee's decision to employ an outside commissioning company has been a good investment.

Board of Fire Commissioners Regular Meeting
Fire Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, December 18, 2012

Commissioner Healy said this project has been frustrating and the Committee is doing everything they can to complete the project.

Fire Chief Selection Committee

Commissioner McGrath reported the Committee has met a series of times. He said he was elected Chairman of the Committee.

Commissioner McGrath said the Committee had hoped to bring to the Board meeting language that revises Article 3 of the selection policy. He explained the preliminary revisions are being reviewed by the Milford City Attorney. He hopes to bring the revised language to the next Fire Commission meeting to acquire Board approval.

Commissioner Craig inquired how long he estimates the selection process to take.

Commissioner McGrath said he is unsure of the length of the process. The first order of business is to revise Article 3. He noted the Committee might call a special meeting of the Fire Commission to seek approval on the revised language. He added the Committee would like to move the selection process along as timely as possible.

7. Chief's Report

Acting Chief Healey reported estimates are being gathered for repairs to the Quint that was recently damaged. He noted the Quint is not being sent out for repairs just yet as it is still operable. All other apparatus are status quo.

The Acting Chief is recommending six Department members receive awards for their work during the kayak rescue the day before Hurricane Sandy, with three Department members receiving the Medal of Merit, and three Department members receiving the Meritorious Service Medal. Chairman Riso said the Board will put together a group to begin discussing the award ceremony. He said in the past, the Union has been included in the discussions, and he invited the Union to again participate.

Acting Chief Healey reported Mayor Blake retained the Emergency Management Director position with the Fire Department. The Acting Chief said he will be sworn into that position soon.

Commissioner McGrath inquired about the report submitted by Battalion Chief Turner. He asked if the Department is currently looking for two dispatchers. The Acting Chief explained one dispatcher retired and a per diem dispatcher was hired earlier in the day. He added that positions will be filled as they become available.

Chairman Riso inquired if the Department had obtained any quotes on moving equipment to the new 911 PSAP center. Acting Chief Healey said the quotes all fall within the \$140,000 to \$150,000 range. He said he asked Mayor Blake for a 10 to 15 percent contingency. The Police Department is hoping to make the final move in January or February. Acting Chief Healey explained the State has to move the 911 PSAP first.

8. New Business

Establish an Eligibility List

Board of Fire Commissioners Regular Meeting
Fire Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, December 18, 2012

Acting Chief Healey stated he was advised that Mr. Gavin would no longer be administering the physical ability test. He contacted CPAP, who sent a representative who might be willing to administer that portion of the test. The Acting Chief stressed that the Department should continue the swim portion of the test above and beyond CPAP requirements.

Acting Chief Healey said he spoke with former Chief LaVecchia regarding the 35-year-old cutoff for applicants. He explained two other departments in the state who also implement the cutoff have since dropped the policy. He added this issue was brought to court at the time of the last applicant testing two years ago.

Chairman Riso inquired when the current candidate list expires. Acting Chief Healey said it expires in January, 2013. He added that there are currently nine openings in the Department and he hopes to hire off the current list prior to its expiration.

Commissioner Brennan inquired how many candidates have been hired off the current list; he believes 14 or 15 have been hired and inquired if the Department would get to the end of the list prior to filling all open positions. Acting Chief Healey said there are 50 candidates total on the list and he anticipates being able to fill all open positions.

Commissioner Stein asked for all the Commissioners to receive a copy of the current policy on creating an eligibility list. Acting Chief Healey said he would forward said information.

Commissioner Riso suggested continuing this line item on future agendas.

Commissioners Stein and Healey made and seconded a motion to include Establish an Eligibility List on future agendas. Motion carried unanimously.

9. Unfinished Business:

Grievance 12-006

Acting Chief Healey and Union President Dunn passed out to the Commissioners their proposals for the Department's use of city vehicles policy.

(Refer to attached document)

Commissioner Stein established the proposal with the title Department Vehicle Policy submitted by the Union. He stated both proposals are substantially similar, although the Union's proposal delineates the positions that were affected by the policy. He commented he prefers the delineation for its specificity.

Commissioner Stein inquired if either of the proposals conflict with current City regulations. Acting Chief Healey said they do not. He added he spoke with the City Risk Manager who informed him that they will have to report to the insurance company if a vehicle is being used 24/7 or just to and from work. He also spoke with the Risk Manager about the tax liability associated with the use of the city vehicles. He said at the prior Board meeting, he made reference to a 1990 policy; the Risk Manager stated the tax laws have been updated since 1990 and the Department should refer to the 2003 policy for tax liabilities.

Commissioner Stein said tax liability is something for the City to determine. He added that Commissioner Brennan raised previously the issue of having GPS installed in the

Board of Fire Commissioners Regular Meeting
Fire Commissioners Conference Room at Fire Headquarters
72 New Haven Avenue, Milford, CT
Tuesday, December 18, 2012

vehicles; former Chief LaVecchia had stated the GPS wasn't installed because many cars have GPS as part of the dispatch system. Acting Chief Healey explained all the apparatus have GPS installed and some of the cars as well. He added that a new dispatch system is being looked at.

Commissioner Stein suggested implementing logs in the vehicles to be taken home to track driving while a member of the Department is not working. Union President Dunn stated any member of the Department is not off duty until he gets home.

Union President Dunn stated there would be no personal use of the vehicles without prior authorization from the Chief.

Commissioner Brennan commented logs would not be needed if GPS was installed in all vehicles. He added this would also aid in knowing exactly where a vehicle is if it needs to be retrieved.

Commissioner McGrath inquired as to how many cars would be added back into take-home service if the new policy were revoked. Union President Dunn said five cars would be added.

Chairman Riso stated another difference in the two proposals lies with the Department's bullet-point of vehicle take-home being limited to members living within a 15-mile radius of the Department. Union President Dunn explained he did not include that point in his proposal because one member lives outside that radius, and it would not be fair to isolate that one person.

Union President Dunn commented that some of the members who are currently authorized to take home the vehicles do not do so. He said if the Board were to re-revise their policy, some members might not take home the vehicles. He added inspectors are often called back to scenes. As of right now, they have to come to the Department to retrieve their city vehicle and then go to the scene. Former Chief LaVecchia stressed a quick response time to scenes.

Commissioner Stein suggested adding into the policy a grandfather clause regarding the 15-mile radius rule to include the one member that lives outside the radius. Union President Dunn stated he would rather have a member come to the Board themselves to ask for authorization for the use of a vehicle as he does not want to limit candidates for any position. Commissioner Stein said it would be better to have a rule and then ask for an exemption.

Commissioner Healy stated the Fire Commission voted on a change to the policy that eliminated five city vehicles. He said in his monthly reports from the Department he does not see the inspectors called back very often; on their submitted reports they are on duty from 8 am to 4 pm. He added in the interest of economy, the Department should operate with the policy as submitted and approved by the Board previously. He said the Board asked for input from the Union and the Department and they have received it. He said he would like to move the motion to deny the grievance.

Commissioner Stein said he agreed with Commissioner Healey on most points, but the Board is now dealing with two issues. He said the Union did not give their input at the meeting where the policy was voted on and now the Board has been issued a grievance

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

Tuesday, December 18, 2012

relating to past-practice violation. He added if the Board denies the grievance and it is found at the state level that the Board violated past practices under the collective bargaining agreement, other things result.

Commissioner Healy appreciated what Commissioner Stein stated. He commented, however, the Union is asking that all vehicles be reinstated under the policy and he believes that is still too many.

Commissioner Stein said the Board should address this issue through the collective bargaining practice rather than issuing a policy. The practice has been well established in the past. This policy might have financial ramifications to the City that far outweigh the cost savings implemented by the policy. He said if the Board reconsiders the policy and implements new restrictions, then the Chief and the Union are on notice for the contract negotiations in the future.

Commissioner Healy inquired when the current contract expires; Union President Dunn said it expires in 2016. Commissioner Healy said policy matters are under the jurisdiction of the Board. He would still like to deny the grievance.

Commissioners Healy and Brennan made and seconded a motion to deny Grievance 12-006.

Commissioners Healy, Brennan, and McGrath voted in favor of the motion

Commissioners Riso, Stein, Smith, and Craig voted against the motion.

Motion failed.

Chairman Riso inquired if the Union is on a time constraint with the grievance. Union President Dunn said the Union has no problem tabling the grievance for further discussions between himself and the Acting Chief.

Commissioner McGrath commented at the last meeting, the Acting Chief and the Union said they will discuss this issue to come to a global resolution; that seems to not have happened, at no one's fault. Commissioner McGrath said he would support tabling the grievance so discussions can take place.

Commissioners McGrath and Stein made and seconded a motion to table Grievance 12-006 to a future meeting to facilitate further discussions between the Department and the Union. Motion carried unanimously.

Commissioners Healy and McGrath made and seconded a motion to reorder the agenda to return to Swearing In. Motion carried unanimously.

Captain Holinko and Firefighter DeMartino were sworn in.

Acting Chief Healey informed the Commissioners that Captain Holinko received the Liberty Mutual Fire Mark Award. He said it is a well-deserved award.

10. Comments and Concerns of the Commissioners:

Commissioner Stein said he is happy to report he was in attendance at the graduation of the recruit Class 50 in Bridgeport. He explained there were 66 cadets in the class, with 5 cadets from Milford taking part: Ryan Antonino, Raul Alfons Benavides-Espinal, Jeff

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

Tuesday, December 18, 2012

Platek, Greg Prior, and Mark Ruggerio. He said the Milford cadets were placed front and center of the ceremony.

Commissioner Stein added that Mark Ruggerio and Raul Benavides-Espinal appeared to be class leaders and were calling cadence and instructions to their fellow cadets. He noted no other Department had men in leadership roles. Mark Ruggerio was also awarded the Michael C. Reilly Memorial Hard Charger Award, which is awarded to the class leader and class standout, presented by the Academy. It was a three-hour ceremony and Milford was well-represented. Commissioner Stein commented he was proud of Milford.

Commissioner McGrath congratulated Acting Chief Healey for his great work since appointment. He also congratulated him on the retention of the Emergency Management Director position remaining with the Fire Department.

11. Adjournment

Commissioners Smith and Healy made and seconded a motion to adjourn at 2003 hours. Motion carried unanimously.

Recorded by C. Birney