

**MEETING MINUTES - BOARD OF FIRE COMMISSIONERS  
JUNE 21, 2023 – 11:00 AM  
Meeting ID: 994 4925 0236**

**1. Call to order: Meeting called to order at 11:03 AM**

**2. Pledge of Allegiance to the Flag:**

**3. Moment of silence for US Firefighter Line-Of-Duty deaths:**

Lieutenant Richard Hempel  
Assistant Chief Kyle Osgood  
Firefighter James Muller

**4. Roll Call:** Commissioners Rosenberg, J. Meszoros, J. Larcheveque, C. Saunders-Maignan\*, W. Marshall, A/Chief Edwards, A/DC Cronin, A/DC Emanuel

**\*Commissioner Saunders-Maignan entered the meeting at 11:05 am.**

**Absent:** R. Russo, G. Pettway

**5. Minutes:**

Entertain a motion to dispense with reading of minutes of the previous meeting.

Commissioner Meszoros moved, Commissioner Marshall second; all in favor: I's have it.

President Rosenberg requested to amend the Agenda to discuss the motion that was made several months ago wherein members who have been out for an extended period of time an Independent Medical Evaluation be required in order for the Board to make an informed and education decision, on their status.

President Dobbs advised there is a distinction between Sick Leave and Injury Leave. Members who are out on Worker Comp claims and being treated by in network physicians, an IME at times might conflict with the course of treatment they are currently undergoing.

A/DC Cronin advised the Board that PMA regularly sends members who are out on Injury Leave for a Functional Capacity Exam and after a certain amount of time, they would go to a Commissioners Exam which pulls the Functional Capacity Exams from the different doctors so the Commissioner from Worker's Comp can make a decision on their prognosis.

Attorney Mitola advised the City does in fact have the authority to see a Functional Capacity Exam when someone has been out for an extended time period. Attorney Mitola recommends the 7 individuals shown on the Attendance Review the Functional Capacity Exam process move forward

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and to the extent through Worker's Compensation the Functional Capacity Exams completed should be obtained so we can review and determine the current status of each individual and what has been determined. Additionally, if a member has already participated in an IME, we do not want to send them for another one.

Commissioner Larcheveque motioned the 7 members on the today's Agenda either find out the status of Functional Capacity Exam have been done to forward their results to the Commission for review and if not, they be scheduled. Commissioner Meszoros moved; all in favor: I's have it.

### **6. Old Business:**

- i. Grievance 2023-02-A Firefighter Terence O'Connell submitted a request to contest disciplinary action issued by Acting Fire Chief Edwards. Firefighter O'Connell refers to Article 5, Disciplinary Action, Paragraph 1 and is requesting the action to be rescinded and to be made whole for financial loss.

Firefighter O'Connell discussed the financial loss being on Administrative Leave and the impact it will have on his tentative retirement/pension as well as the removal of the Administrative Leave letter from his personnel file.

Chief Edwards provided the Board with the reason for placing Firefighter O'Connell on Administrative Leave and the Fact-Finding Hearing was rescheduled 3 times based on conflicts on both sides. A Due Process is tentatively scheduled for Wednesday, 6/28/2023. Chief Edwards also advised he is following the language in the CBA when a member is placed on Administrative Leave. Firefighter O'Connell will remain on Administrative Leave until he is disciplined.

The Union advised the Board that Firefighter O'Connell submitted this grievance on his own behalf. President Rosenberg advised this grievance is premature since no disciplinary action has been issued and the Board should deny the grievance.

Commissioner Larcheveque motioned to deny the grievance; Commissioner Saunders-Maignan second; all in favor: I's have it.

- ii. Grievance 2023-02 in accordance with Article 6, Local 834 hereby submits that the City violated Article 34 (Retroactive Payments) when it failed to include Article 12, Section 8 of the most recent CBA covering July 1, 2020 – June 30, 2025.

Attorney Mitola advised the Board he reviewed Article 12, Section K has completed the opinion letter and will issue to the Union and the Commissioners to review and discuss at the next meeting. The Board and the Union agreed to table to the July meeting,

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Commissioner Meszoros motioned to table to the July Meeting; Commissioner Saunders-Maignan second; all in favor: I's have it.

**7. New Business:**

- i. Entertain a motion to remove Frank J. Grabiec, Provisional Lieutenant deceased June 13, 2023, and refer to the appropriate City Agency for implementation.

Commissioner Meszoros entertained a motion to remove Frank J. Grabiec, Provision Lieutenant from the Pension Plan; Commissioner Larcheveque second; all in favor: I's have it.

- ii. Entertain a motion to grant Margareta Grabiec, Widow of retired Provisional Lieutenant Frank J. Grabiec a Widow's Pension effective June 14, 2023, and refer to the appropriate City Agency for implementation.

Commissioner Meszoros entertained a motion to grant Margaret Grabiec, a Widow's Pension effective June 14, 2023; Commissioner Saunders-Maignan second; all in favor: I's have it.

- iii. Commissioner Meszoros requesting to have the Commissioner Meetings return to in-person meetings.

Commissioners agreed to return to in-person meetings as previously held, 3<sup>rd</sup> Wednesday of every month. Time was changed from 6:00 PM to 5:30 PM.

Commissioner Marshall motioned to return to in-person meetings, 3<sup>rd</sup> Wednesday of each month at 5:30 PM; Commissioner Larcheveque second; all in favor: I's have it.

**8. Executive Session for attendance review of the following individuals:**

Not held based on the amendment to the Agenda from President Rosenberg.

**9. Entertain a motion to accept the Report of Sick and Injury**

Commissioners Meszoros motioned to accept the Report of Sick and Injury; Commissioner Marshall second; all in favor: I's have it.

**10. Policy and Procedure Review:**

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- Acting Fire Chief Edwards will address the Board on key issues.

11. There be nothing further to come before the Board, a motion to adjourn is in order.

- A Pumper Engineer Exam held; in 30-day review
- Awaiting dates from Civil Service on administering a Lieutenant's Exam.
- PRF's submitted and approved to promote Assistant Chiefs and Captains.
- Gearing up for a summer Recruit Class in August, looking to hire 20.
- Rescue 5 should be in-service the week ending 6/24/2022.
- Ladder 6 delivery date is August/September
- Fence at HQ close to completion.
- Working with Labor Relations for Diversity Training

**9. There be nothing further to come before the Board, a motion to adjourn is in order.**

Commissioner Meszoros moved; Commissioner Larcheveque second; all in favor: I's have it.

Meeting Ended 12:02 PM

Prepared: G. Bottillo