

**MEETING MINUTES - BOARD OF FIRE COMMISSIONERS
NOVEMBER 16, 2022 – 11:00 AM
Meeting ID: 994 4925 0236**

1. Call to order: Meeting called to order at 11:01 AM

2. Pledge of Allegiance to the Flag:

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

Captain Kenneth Scott
Firefighter Kevin May
Chief Everette Watson

Firefighter Alex Moss
EMT/Firefighter Juan Wilson
Assistant Chief James Scanlon

4. Roll Call: Commissioners Rosenberg, R. Russo J. Meszoros, J. Larcheveque*, G. Pettway, C. Maignan, A/Chief Edwards, A/DC Cronin, A/DC Firpi

Absent: W. Marshall

***Commissioner Larcheveque joined the Meeting at 11:03 AM**

5. Minutes:

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

Commissioner Rosenberg moved; Commissioner Russo second; all in favor: I's have it.

6. Old Business:

- i. Local 834 Grievance 2022-5 in response to the City's failure to abide by the terms and conditions of the settlement agreement related to SBMA Case 2004-A-0121, Acting Captain. (See attachment).

Discussions between Attorney Walsh for Local 834 and City Attorney Mitola ensued regarding the Opinion Letter submitted by City Attorney Mitola and interpretation of the CBA language regarding Acting Pay for members who act in a capacity whether in their own Company or another Company. President Dobbs advised the Board, Lieutenants who worked in the Acting Captain capacity during this 6-week period were not paid at the Captain rate. LT Dobbs advised he can provide documentation of Senior Lieutenants assigned to a Company who took time off were still paid at the Captain's rate of pay. Attorney Mitola advised that the original grievance was not clear and did not specify that this involved other Lieutenants. Commissioner Rosenberg recommended LT Dobbs provide Chief Edwards with the documents to find a resolution. Attorney Walsh advised he would confer with the Union and report back to the Commissioner through either Attorney Mitola or Chief Edwards.

MEETING MINUTES -BOARD OF FIRE COMMISSIONERS

NOVEMBER 16, 2022 – 11:00 AM

Meeting ID: 994 4925 0236

Commissioner Russo entertained a motion to table to the December Board of Fire Commissioners Meeting; Commissioner Saunders-Maignan second; all in favor: I's have it.

- ii. Local 834 Grievance 2022-8 including but not limited to Article 6, Appendix K whereas FI Hiram Velez was scheduled to work an outside overtime and without just cause and Due Process, was removed from the overtime detail resulting in forfeiting 6 hours of overtime pay. Local 834 is requesting FI Velez be made whole.

Attorney Walsh for Local 834 advised that FI Velez was harmed with no just cause when he was pulled from working an overtime event before an investigation by Administration was done. Attorney Walsh advised a Due Process was held on 11/15/2022; no discipline issued yet from the Administration. If discipline is issued this is a cause of double jeopardy; FI Velez was already punished by losing 6 hours of OT and then punished again with the discipline if issued.

Attorney Mitola advised the Board of Post Deprivation Remedy where an employer can act on an issue and then grant the employee a hearing afterwards and remedy that situation by either giving him 6 hours of overtime or an opportunity to make that up if in fact removing him from the overtime without justification.

President Rosenberg advised that the Board could not act until all the information and facts have been received. Attorney Mitola agreed. A motion to table until the facts are presented to the Commission so they can make an informed decision.

Commissioner Meszoros entertained a motion to table to the December Meeting to wait for all of the facts, Commissioner Saunders-Maignan second; all in favor: I's have it.

For the record, Commissioner Russo has recused himself from this grievance.

- iii. Firefighter Terence O'Connell assigned Grievance 2022-9 requesting the City return his income tax (state and federal) from the date of injury of 11/21/2022 in the amount of \$391.00.

President Rosenberg advised the Board that this Commission does not have the authority to get involved in this grievance; it is beyond the Board's purview. The recommendation/remedy for Firefighter O'Connell is to go through the IRS and file the appropriate documentation to get this issued resolved.

Commissioner Larcheveque entertained a motion to deny the grievance, Commissioner Russo second; all in favor: I's have it.

MEETING MINUTES -BOARD OF FIRE COMMISSIONERS

NOVEMBER 16, 2022 – 11:00 AM

Meeting ID: 994 4925 0236

7. New Business:

- i. Local 834 Grievance 2022-11 including but not limited to Article 29 Payment of Tuition and Books whereas LT Jack Silvia is awaiting tuition reimbursement for classes/credits he successfully completed. Local 834 requesting that he be made whole in the amount of \$10,766.72.

Labor Relations and the Union agreed the City would compose a letter, stating the City is agreeable to make payment to LT Silvia with the stipulation that he submit proof of payment of the Student Loan within 60 days of the City's reimbursement.

Commissioner Meszoros moved; Commissioner Saunders-Maigan second; all in favor: I's have it.

- ii. Entertain a motion to remove Carmen Costa, deceased October 11, 2022, from the Widow's Pension List and refer to the appropriate City Agency for implementation.

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

- iii. Entertain a motion to remove Arstine McClellan, retired Pumper Engineer, deceased October 13, 2022, from the Firefighters Pension List and refer to the appropriate City Agency for implementation.

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

- iv. Entertain a motion to remove Leigh Kilmer, retired Firefighter, deceased August 4, 2022, from the Firefighters Pension List and refer to the appropriate City Agency for implementation.

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

- v. Entertain a motion remove Janet Arsenault, deceased November 1, 2022, from the Widow's Pension List and refer to the appropriate City Agency for implementation.

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

- vi. Entertain a motion to remove Ronald Fitzsimons, retired Lieutenant, deceased November 3, 2022, from the Firefighters Pension List and refer to the appropriate City Agency for implementation.

Commissioner Meszoros moved; Commissioner Saunders-Maignan second; all in favor: I's have it

MEETING MINUTES -BOARD OF FIRE COMMISSIONERS

NOVEMBER 16, 2022 – 11:00 AM

Meeting ID: 994 4925 0236

- vii. Entertain a motion to remove Angeline Coon, deceased November 11, 2022, from the Widow’s Pension List and refer to the appropriate City Agency for implementation.

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

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

- **FF Ronald Reed – Not in Attendance**

Entertain a motion to table to the December Board of Fire Commissioners Meeting; Commissioner Larcheveque moved; Commissioner Russo second; all in favor: I’s have it.

- **FF Joseph Torres – Declined Executive Session**

FF Torres advised he is improving, continues with PT. Next doctor’s appointment 11/29/2022.

Entertain a motion to table to the December Board of Fire Commissioners Meeting; Commissioner Meszoros moved; Commissioner Russo second; all in favor: I’s have it.

- **FF Michael Sorensen – Not in Attendance**

A/DC Firpi advised that FF Sorensen has been keeping him up to date with his medical status.

Entertain a motion to table to the December Board of Fire Commissioners Meeting; Commissioner Meszoros moved; Commissioner Russo second; all in favor: I’s have it

- **FF Mark DeCarlo – In Attendance – Audio Not Working**

Entertain a motion to table to the December Board of Fire Commissioners Meeting; Commissioner Meszoros moved; Commissioner Russo second; all in favor: I’s have it.

- **FF Roger Martinez -Declined Executive Session**

FF Martinez advised he is scheduled for surgery on 12/2 with a 6–8-week healing time.

Entertain a motion to table to the January Board of Fire Commissioners Meeting; Commissioner Meszoros moved; Commissioner Larcheveque second; all in favor: I’s have it.

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

Commissioner Meszoros moved to accept the Report of Sick and Injury; Commissioner Larcheveque second, all in favor: I’s have it.

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10. Policy and Procedure Review:

- Acting Fire Chief Edwards will address the Board on key issues
 - Reviewed the Monthly Statistics
 - 21 Firefighter Recruits started November 5th
 - Rescue 5 should arrive late November/early December
 - Captain Exam Announcement issued
 - Working with IO Solutions for the Assistant Chief's Exam.
 - PE and LT Exams will be held after the AC Exam and Captain Exam.
 - Met with City on contract negotiations

11. 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 12:03 PM

Prepared: G. Bottillo