

**January 19, 2011**  
**Regular Meeting Board of Fire Commissioners**

The regular meeting of the Board of Fire Commissioners was held on the above date.

President Rosenberg called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag.

President Rosenberg welcomed Edgar Rodriguez, a new Fire Commissioner to the Board that hasn't been sworn in yet, and requested him to sit at the table with the Commissioners. He was welcomed by all Commissioners.

Present: President Rosenberg, Vice President Ana Garcia, Commissioners Doris G. Garcia, Klein, Meszoros and Fire Chief Rooney

Absent: Commissioner Lee

Commissioner Ana Garcia motioned to dispense with reading the minutes of the previous meeting; Commissioner Meszoros seconded and the Board passed it unanimously.

Old Business

1. None.

New Business

1. Communications:
  - a. None.
2. Presentation of Awards to Captain Luis Rivera, Lt. Michael Filakovsky, PE Zoltan Szabo, FF Terence O'Connell and FF David Rivera in recognition of their efforts to make the BFD Family Christmas Program 2010 such a tremendous success.

Fire Chief Brian Rooney presented a plaque to each Firefighter and Deputy Chief Petrucelli read a letter from Captain Donofrio who is the station Captain at Engine Company 12. He informed Chief Rooney that when the program was started in 2002 by FF Roberto Diaz and his daughter Haley there were 8 families that were given gifts and holiday meals. This year 57 Bridgeport families and over 200 children were given Christmas gifts and a complete Holiday meal. The commitment of PE Szabo and FF O'Connell to this cause should be recognized. They are the two point men for this operation. They both spend a great deal of their time and energy to make sure that they could accommodate as many families and children as possible. They do a tremendous job and I am very proud of both of them. Fox News, the Connecticut Post and Elaine Ficarra, the Director of Communications from the Mayor's Office were all here at Engine 12 on Christmas Eve to cover the delivery of toys, a doll house, and a complete holiday meal to a family with two little girls on Reservoir Avenue. I want to thank Captain Luis Rivera, Lieutenant Mike Filakovsky, Fire Commissioner James Meszoros and Ron Butz of the Trumbull Fire Department for their help and support of this program. I also want to

thank all of our Companies who made the deliveries to the families. The program helps spread some holiday cheer to needy families in Bridgeport and is also great public relations for our Department. It was signed, Sincerely, Captain Richard Donofrio, Engine Company #12.

Chief Rooney thanked everyone for a great job and it made the Bridgeport Fire Department really shine with the efforts that were put into this. They spent an awful lot of their own time raising the money. They ran out of money and somehow, someway they made phone calls, and they got the money they needed to finish up the presentation of all the presents and meals to the families. That was wonderful and that is what the Fire Department is about and these guys are just a reflection of that and he was proud to be wearing the same uniform they do. He handed them their plaque and thanked them for what they did and to let them know that not only is the Commission proud of them, but also their brother firefighters and sisters. Thank you.

3. Commissioner Meszoros motioned to remove Retired Fire Lieutenant Ralph J. Deer, deceased January 6, 2010, from the Fire Fighter's Pension list and refer to the Board of Trustees, Pension Plan A, for implementation; Commissioner Ana Garcia seconded and the Board passed it unanimously.

4. Local 834 – Grievance 2010-24; Article 5 and Article 17, Section 17.3 Ronald Morales Medical Benefits.

Union President Whitbread represented that he would move the Grievance to the State Board.

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

a. FF Ronald Reed (B) – Back on full duty without restrictions.

b. LT Marc Strickland (B) – Executive Session was waived. Attorney Lascelle was also present.

Lt Strickland read from his doctor's report that the patient is completely disabled from work until the next scheduled visit. That was from his last visit on January 3, 2011.

Lt Strickland reported that he had an MRI on January 18, 2011 and his next appointment to review MRI with Dr. Sumner is scheduled for January 20, 2011.

President Rosenberg suggested that he get the answers to the questions while he is at the Doctor's office on January 20 and see to it that it is hand delivered to Deputy Chief Grace. Lt Strickland responded that he tried that before and was unable to get it the same day. President Rosenberg responded that time is of the essence.

Commissioner Klein asked what was happening with the bills being paid and Lt Strickland responded that he is still on sick leave. He has to go through CIGNA and therapy with CIGNA is limited. Lt. Strickland stated that he didn't understand why he was on sick leave and everyone else in the accident was on a line of duty injury.

Deputy Chief Grace responded that his claim was denied by Workers' Compensation and it had to stay on sick leave unless and until the claim is accepted by Workers' Compensation.

Attorney Lascelle represented that the Workers' Compensation claim is still not an accepted claim and that an IME is scheduled for February 8, 2011. He also represented that they went to a number of Workers' Comp hearings and they did not accept the report of his treating physician, Dr. Sumner. They also had a deposition of Mr. Strickland which took place a week or so ago and they have been in the process of trying to come to some agreement with Dr. Sumner to determine when he might be deposed so he could clear up any misconceptions that may have happened over the course of his treatment.

Commissioner Klein stated that he remembered that the other occupants of the vehicle submitted claims which were accepted and he asked Attorney Lascelle what was his understanding of why one occupant of the vehicle is being treated differently from other occupants of the vehicle.

Attorney Lascelle stated that his understanding is that based on pictures of the motor vehicle which doesn't actually show any physical damage, it is accepted that there was an accident, but Dr. Sumner's report brought about some concern that they thought may have questioned what Mr. Strickland reported.

President Rosenberg responded that the nature of his injuries were probably different from the other people. Attorney Lascelle responded that that was also correct, the injuries were different. Attorney Lascelle said that they may have the report of the IME at the next meeting. President Rosenberg stated that they would have the results of the MRI and Attorney Lascelle responded that that was correct. Attorney Lascelle said that the Workers' Comp is progressing.

Commissioner Klein motioned to table to next month's meeting and by then they should have results of MRI; Commissioner Ana Garcia seconded and the Board passed it unanimously.

c. LT Frank Mercaldi (B) – Executive Session was waived. His Attorney was also present.

President Rosenberg asked if the Lieutenant got a report from his doctor and he responded that he did.

Deputy Chief Grace reported that he has not received anything further since last month's meeting.

Lieutenant Mercaldi stated that he had just what he was asked to get at last month's meeting. Deputy Chief Grace responded that he didn't receive it and asked for a copy.

President Rosenberg stated that the Lieutenant's Doctor's report said effective February 8, 2011 Lt. Mercaldi could do light duty. Lt. Mercaldi responded sedentary light duty. President Rosenberg stated that it appeared that his doctor was releasing him for light duty in February, although based on what he says later in the letter, it sounds that it is doubtful that he would be able to return to the full duties of a fire fighter and Lt. Mercaldi was asked if that was what he got out of it. Lieutenant Mercaldi responded no, at this time, he said, at this time and he thought there was a probably in there also.

Commissioner Klein responded that he says you will most likely not be able to return to full duty. Lieutenant Mercaldi responded most likely.

Commissioner Klein asked what treatment he was undergoing now, if any. Lieutenant Mercaldi responded a lot of pills. He was asked and responded that he will be 23 years in the Department in May.

President Rosenberg said that it would seem that the course to be followed would be to do the light duty and then they would see where he is after that period. Lt. Mercaldi stated that he is still on sick leave.

Deputy Chief Grace reported that Workers' Compensation denied the claim and Lt. Mercaldi responded that he was still on sick leave and that on the 27<sup>th</sup> of January he has a Workers' Compensation hearing.

Commissioner Klein motioned that Lt. Mercaldi start light duty on February 8 and tabled the matter to the May meeting; Commissioner Ana Garcia seconded and the Board passed it unanimously.

6. Commissioner Ana Garcia motioned to accept the Report of Sick and Injury; Commissioner Meszoros seconded and the Board passed it unanimously.

7. Commissioner Meszoros motioned to accept the Payroll Register; Commissioner Klein seconded and the Board passed it unanimously.

8. Policy and Procedure review.

None.

9. There being nothing further to come before the Board, Commissioner Meszoros motioned to adjourn the meeting; Commissioner Ana Garcia seconded and the Board passed it unanimously.

The meeting was adjourned at 6:25 p.m.