

January 16, 2013

Regular Meeting Board of Fire Commissioners

President Rosenberg called the meeting to order at 6:05 p.m. and led the Pledge of Allegiance to the Flag.

Present: President S. Rosenberg, Vice President J. Klein, Commissioners M. Lee, J. Meszoros, Fire Chief B. Rooney

Absent: Commissioner D. Garcia

Swearing in of 21 new fire firefighters.

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

Old Business:

1. Entertain a motion to grant a Widow's Line of Duty Disability Pension Request to Joan McCullough, effective July 13, 2011 and refer to the Board of Trustees, Pension Plan A for implementation.

Attorney Joyce Riccio presented case for Widow's Line of Duty.

- In 1989 Mr. McCullough was awarded disability pension effective as of October 7, 1989 and it was based on heart disease and hypertension. At that time it was unanimous.
- When Mrs. McCullough request Widow's Line of Duty Disability Pension, there was a request of her to get documentation dating back to 1989.
- Number of documentation showing he did have hypertension back in 1983 and shows that he had high blood pressure which is hypertension in 1989 and documentation that Mr. McCullough had heart disease from when he was first seen by a particular physician in 2000 until the day he died.
- All these years Mr. McCullough was on disability, The Board approved his disability for heart and hypertension unanimously, there was never a question and now you are requesting proof now.
- Why deny her request now. It's been paid, it was approved, never a question until Mrs. McCullough asked for it.

Attorney Mitola:

- You need to look at all the evidence in front of you and make a well reasoned decision. That's what I tried to do based on the information that we gathered here.
- There is one letter from Mr. McCullough seeking a line of duty disability pension because of "his heart condition".
- Then Chief Thomas Naples stating his request was granted pursuant to Sections of the Pension Plan and the Heart and Hypertension statutes.
- There is no evidence to support that Mr. McCullough had hypertension on the day he retired.

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- There is also a letter from Mr. McCullough seeking disability but not stating why, just stated "my disability".
- Was granted Workers' Comp for his cervical problem having 25% disability of the spine.
- Physician records do not show heart problems until September 1992 when he had high blood pressure.

Commissioner Klein:

- There is a letter granting disability in 1989 for heart and hypertension.

Attorney Mitola

- I have not seen any medical documentation that he had hypertension and heart problems in 1989 when he retired.

Commissioner Lee:

- There is a contradiction on page 2. It states in 1989 Mr. McCullough did experience chest pain.

Vice President Rosenberg:

- Does the Workers' Comp claim indicate that it was the cervical injury that was accepted by the City and that was what the award was based on.

Attorney Mitola:

- My understanding is the City accepted the cervical neck injury which was also in 1989.

Attorney Riccio:

- The fact of the matter is the disability was given on heart and hypertension, that's a fact. Retirement list from 1997 lists McCullough as heart and hypertension.

Commissioner Klein:

- I have to believe that at some time somebody saw that evidence. The City didn't give away those benefits. The assumption should be if the City granted it, we should.

Commissioner Klein motioned to set vacate the decision we previously made on this application for Widow's Line of Duty Disability. Commissioner Lee seconded; the Board passed it unanimously.

Commissioner Klein motioned to grant the Widow's Line of Disability to Mrs. McCullough; Commissioner Lee seconded; the Board passed it unanimously.

2. Local 834-Grievance 2011-24; LT Marc Strickland, Retirement Benefits.

President Whitbread not available.

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3. Local 834-Grievance 2012-13; Class Action, Days Off for Captain Exam.

President Whitbread not available.

Commissioner Meszoros motioned to table #2 Grievance 2011-24 and #3 Grievance 2012-13; Commissioner Klein seconded and the Board passed unanimously.

New Business:

1. Communications:

None.

2. Entertain a motion to grant a Widow's Pension Request to Gladys Calvert, widow of retired FF Charles F. Calvert, effective November 7, 2012 and refer to the Board of Trustees, Pension Plan A for implementation.

Commissioner Meszoros motioned to grant this motion; Commissioner Klein seconded and the Board passed it unanimously.

3. Entertain a motion to remove retired PE Zigmunt Stramoski, deceased December 5, 2012, from the Firefighter's Pension list and refer to the Board of Trustees, Pension Plan A for implementation.

Commissioner Klein motioned to grant this motion; Commissioner Lee seconded; the Board passed it unanimously.

4. Entertain a motion to remove Mrs. Bernadette Heyse, Widow of retired FF Hugo Heyse who passed away December 2, 2012 from the Widow's Pension list and refer to the Board of Trustees, Pension Plan A for implementation.

Commissioner Lee motioned to grant this motion; Commissioner Klein seconded; the Board passed it unanimously.

5. Entertain a motion to remove Retired FF Albert K. Kerezsi, deceased January 2, 2013 from the Firefighter's Pension list and refer to the Board of Trustees, Pension Plan A for implementation.

Commissioner Meszoros motioned to grant this motion; Commissioner Lee seconded; the Board passed it unanimously.

6. Request from Bridgeport Fallen Fire Fighters Foundation to be approved as a sanctioned organization within the Bridgeport Fire Department.

President Rosenberg asked what is the significance. Do they want recognition. Who put this on, is there somebody here.

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LT Buck stated that he is not on the Board of Directors but it's a good and welfare type of organization and believe what they are looking for is recognition so that they can actually process the paperwork to be tax exempt also to do the payroll check off card.

President Rosenberg asks Attorney Mitola what the legal definition of sanctioned is. I sure it's a good worthy cause.

Attorney Mitola reasoning is probably for paperwork, dues, etc.

President Rosenberg asked if there was anybody here from the board and there wasn't a representative present.

D/C Petrucelli states that there is letter a in the packet from LT Andrew Ellis as well as a certificate of incorporation.

LT Buck suggested that they table this request until a Board member can attend.

Commissioner Klein mentioned that this leaves it open for other organizations to request the same.

President Rosenberg stated that he agrees that it is a very worthy organization but he doesn't believe this request belongs here and that other groups might come up and ask the same.

Commissioner Lee motioned to deny this request to sanction the Bridgeport Fallen Fighters Foundation; Commissioner Klein seconded and the Board passed it unanimously.

7. Local 834-Grievance 2012-16; FF David Greene, Article 5, Disciplinary Action.
8. Local 834-Grievance 2012-17; FF Ronald Reed, Article 5, Disciplinary Action.
9. Local 834-Grievance 2012-18; FF John Herring, Article 5, Disciplinary Action.
10. Local 834-Grievance 2012-19; FF Joao Santos, Article 5, Disciplinary Action.

Commissioner Lee motioned to table Local Grievances 2012-16, 2012-17, 2012-18 and 2012-19 since President Whitbread is not available; Commissioner Meszoros seconded and the Board passed it unanimously.

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

- a. FF Timothy Gies (B) – on duty as of 1/7/13.
- b. FF Isaias Rodriguez (B) – requested Executive Session – Commissioner Klein motioned to table until March; Commissioner Lee seconded and the Board passed it unanimously.
- c. FF Sheilyan Vega (B) – returned to light duty as of 1/15/13.
- d. PE Juan Lopez (B) – returned to duty on 12/31/12.
- e. PE Luigi Perelli (B) – has 3 herniated discs; has had 2 spinal injections so far. Had been just on back, trying to rest his back. Did go for chiropractic services and they felt that was not helping and might have been aggravating his back

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more. Just started physical therapy. Next appointment with physician to re-evaluate is 2/22/13. Commissioner Klein motioned to table until March; Commissioner Lee seconded and the Board passed it unanimously.

PE Perelli asked why he was being disciplined with a transfer. Chief Rooney explained that it wasn't discipline but a temporary transfer to make openings available to the new recruits. They had to move some of those that haven't been working, or are out on long term disability. PE Perelli is concerned with seniority issues once he returns because the transfer, a one or two year firefighter would have seniority now for acting positions. He feels that experience is of greater value. His concerns have been acknowledged and he was told to discuss this with the Union.

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

Commissioner Meszoros motioned to accept this motion; Commissioner Lee seconded and the Board passed it unanimously.

13. Entertain a motion to accept the Payroll Register.

Commissioner Meszoros motioned to accept the payroll as written; Commissioner Klein seconded and the Board passed it unanimously.

14. Policy and Procedure review.

None.

There being nothing further to come before the Board a motion to adjourn was made by Commissioner Meszoros; Commissioner Lee seconded and the Board agreed unanimously.

The meeting was adjourned at 7:30 p.m.