

Cromwell Fire District

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FIRE DISTRICT OFFICE
WATER DIVISION

FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

BOARD OF COMMISSIONERS **Special Board of Commissioners' Meeting** **Tuesday, November 12, 2019**

6:30 PM
105 Coles Road
Cromwell, CT

A Special Board of Commissioners' Meeting was held on Tuesday, November 12, 2019, at 6:30 PM, at 105 Coles Road, Cromwell, CT to consider and act upon Special Fire District business.

Commissioners Lee Brow (President), Roger Rukowicz, Jason Hinnners, Charles Epstein, David Colligan, Mertie Terry, Allan Spotts and John Hamlin attended. Also attending were Executive Director Julius Neto and Fire Chief Michael Terenzio. Commissioner Robert Donohue had an excused absence.

CALL TO ORDER

The meeting was called to order at 6:30 PM by President Brow.

PUBLIC COMMENT

There were no public comments to report.

NEW BUSINESS

- A. Discussion and Vote on the Collective Bargaining Agreement between the Cromwell Professional Fire Fighters' Association Union, Local 4662 and the Cromwell Fire District.
The Executive Director gave an overview of the document. Mr. Neto reported that there has not been a contract in place since July 1, 2018. The draft from today is roughly 16 months old. He feels it is a fair contract. Neither the Union nor Management is excited about it. The labor attorney has advised that if one party is happy about the document and the other is not, then that is not a good contract. If both parties feel the same about the document that is a good thing. Some language was cleaned up, but the real issues were wages, hours, working conditions and benefits. Mr. Neto asked if there were any questions. Mr. Neto noted there is a 2 ¼% average increase over a 5 year contract. There will not be any retroactivity to July 1, 2018. It was noted that the Union did agree to a "no back pay" clause. Commissioner Hamlin had a question as to why the Fire Marshal has been stipulated in some of the Articles in the contract. Mr. Neto responded that the Fire Marshal is unique to the contract because he was a last minute add-on, and he was in management previously. There was also an issue with salary. Once the Fire Marshal joined a union, there was an attempt to make a reduction in salary, however, the State would not allow that. Their opinion was that the District could

be perceived as penalizing the Fire Marshal for joining a union. He added that once the Fire Marshal retires, that portion of the contract will reset. All these issues would come more in line with the current salary and benefit structures. This similar scenario will occur when negotiating for the Administrative Assistant in the Fire Department. Commissioner Spotts asked what the biggest change would be in this contract since he is not familiar with prior contracts. The biggest change is the change in the firefighters' schedule. Some language was eliminated that was introduced in the last contract that seemed punitive by the membership. President Brow stated there was some clean up on vacation leave, and deadlines for notification. The Lieutenants new roles will earn them a salary bump once the contract is approved by the Board. The bump will be a .875% effective immediately. Their insurance is now the same as the rest of the Fire District employees. They actually received a better rate with going from \$2,500/\$5,000 to \$2,000/\$4,000. The other new item is the ability for firefighters to be called back to assist with the operation when they are needed.

Commissioner Hamlin had a question regarding a sentence on Paged 13, the middle of the page which reads, "Out of network claims shall be reimbursed on the basis of 275% of MAA (Maximum Allowable Amount)." Mr. Neto could not find anything in his working draft that would indicate the information was a typo or not. It was believed that Attorney Weinstock had gone through the document, but did not have any red flags on this item. There are a couple of theories, but Mr. Neto could not provide the group with an answer. He was going to contact the attorney. He would get clarification tomorrow either from Northwest Insurance or Attorney Weinstock. Commissioner Colligan asked if the Board could approve the rest of the contract except for this particular sentence. This issue will be brought before the Board at their monthly meeting next week.

Commissioner Terry had concerns about the rates for retail and mail order co-pays, noting that it is normally the opposite where mail orders are usually cheaper. Pharmacy choice is up to the individual and is not dictated by the plan. Usually mail order prescriptions are 90 days and retail is 30 days.

There was discussion regarding getting clarification of the insurance issue and whether or not the Board felt comfortable voting on the rest of the contract minus that sentence which can be voted on next week. It was noted that any language change that is made would mean that the whole document would need to go back to the Union for approval of the changes. It was suggested to go over the rest of the contract to make sure there are no other issues to discuss aside from the pending insurance issue.

Commissioner Terry questioned the policy regarding uniforms and OSHA standards. OSHA has mandates for uniforms and equipment in order for the employee to perform his or her job safely and efficiently. Commissioner Terry also asked about training. It was noted that all mandated training is required. Training is mandated through the State of CT, the Cromwell Fire Department and OSHA.

A motion was made by Commissioner Colligan, seconded by Commissioner Hamlin and unanimously approved to table this item until more information becomes available regarding the sentence on Page 13 that mentions a rate of 275% of a maximum allowable amount. It is anticipated that more information will become available for voting on this item at the regular Board of Commissioners' meeting next week, November 19. Mr. Neto will advise the Board once he receives some answers.

- B. Personnel Participation Protocol. Chief Terenzio stated that the new model for staffing is approximately 4 months old. A lot of the unscheduled staff have been reluctant to respond to the needs of the on-duty staff. He went on to say that everybody that is on Cromwell's fire ground or fire operations costs money. There are costs such as workers' comp., insurance, email, equipment. The issue becomes why people are not participating when they are on the roster, and the Department has made an investment in them. The Chief reported that the Department is getting a great return for the money it has expended. The part-time scheduled staff is not as much of a return, but they are required to do 18 – 20 hours as a minimum. They cannot exceed the ACA limits of 30. If a volunteer only shows up once a year, it is a lot of money to expend for someone that only comes out once a year. It is similar to the way it used to be when someone needed to do 10% of the calls to get the \$1,000 stipend or participate 360 hours as it used to be for EMS staff. The same principles hold true.

In reviewing the policies, Chief Terenzio established a directive and drafted an incident participation protocol for volunteer and unscheduled part-timers to set a level of what they are going to be able to contribute back for the expenditure of funds for them to be available to do the job. He established 25 % for EMS only people because it's a larger part of the operation. He did some quick numbers, and during the last four months, 25 times (fire) and 26 times (EMS) respectively where the department needed to go beyond the on-duty staffing for resources to respond. That averages to approximately 6 times per month. Dispatch has made a special classification for an all-call fire or an all-call EMS (Delta or Echo). Those are the numbers to be used when calculating whether someone as a volunteer or an unscheduled part-timer is responding to those. 20% - 25% of the time is not horrific for anyone to have to meet. The Chief thinks that in some respects it is kind of low. There was a lengthy discussion about the requirements for calls. There are 16 registered volunteers. Seven are active, and nine are inactive. The activity is 0 since July 26, 2019. This is excluding Commissioners, active reserve personnel and people that are safety officers. They are doing their due diligence and service to the community.

The same statistics are true for the registered volunteers in terms of training. The same people that have 0 participation with calls also have 0 participation with training. These individuals have gear that was bought by the District, some have blue lights and license plates on the front of their vehicles, yet they are doing nothing in terms of calls. Chief Terenzio added that there are 40 registered part-time unscheduled members. 22 are active, 18 are inactive. He explained the inactivity as 0 across the board. That is not counting the people that have done maybe one or two calls here or there. The issue is that the Chief needs gear for all the people that are coming on board, and does not have enough. A set of bunker gear costs approximately \$2,500 and adding boots, coats, gloves and pager makes the total price \$4,500 whether a person is full-time or a volunteer. Commissioner Colligan added that people that are at 0 can make up their time in other ways but they are not doing it. The Chief added there are people that check the responder app, but don't respond. There were 9 people identified as doing that. The Fire Department is allowed 50 positions that can use the responder app. There were 59 that applied. It was decided that those that are not responding would be shut off so those slots could be used for people that are interested in responding. If the people being shut off have questions, they will be asked to contact Chief Terenzio. It was noted that the app is just a responder app so if someone is not responding, they do not need the app. Commissioner Spotts commented that it seems the volunteers are not going to respond unless they get paid. Everyone was in agreement. The Chief wants to be able to recognize further the dedicated people.

Commissioner Rukowicz asked if the people with 0's have been warned. The Chief stated he has not warned anyone yet because there was no policy in place until tonight. The Chief has drafted a directive and protocol with SOP's regarding this subject. Commissioner Rukowicz felt that everyone should be aware of the policy. If people do not want to comply with the policy, they should receive a letter of warning. Once they receive a letter, if there is still no compliance they should be removed from the roster. Once the standard has been distributed, they will have one month to comply. The Chief noted that it is frustrating. There are about 30 people that have a lot of money in gear that the Chief could be reutilizing.

The Chief plans to distribute the procedures and directives through the department email system. He will use the return receipt option as well as certified letter. He again stated that people will have one month to comply otherwise they will be asked to reassess their desire to be a part of this community.

A motion was made by Commissioner Hinnners, seconded by Commissioner Rukowicz and unanimously approved to accept the Standard Operating Procedures presented by Chief Terenzio, CFD-ADM (NSM)-005 and CFD-AD-006 and Administrative Directive DIR-AD-19-06, which will be distributed via email to all Fire Department members and to authorize the Chief to move forward with his distribution of a letter addressed to non-compliant members of the Department requesting they advise the Chief of their intentions within 30 days of receipt of the letter. This letter will be distributed via email with return receipt requested and a copy of the signed receipt. A copy of the signed receipt will be kept in the individual's personnel files as well as the Fire Department training files. The Chief's intent with the letter is to get those individuals that have not been active back to being active again.

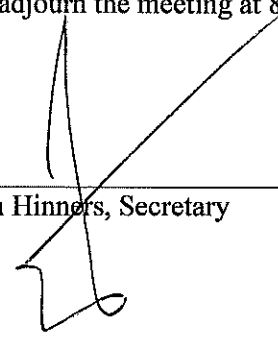
It was suggested that the Chief provide a report after 60 days of what transpired. It was agreed that there would be information available sooner than that. The Chief noted that if there were no push back, the Cromwell Fire Department could be just as good as some of the other towns that have been dealing with some of the same issues as Cromwell. The word has gotten out regarding Cromwell's staffing models, and other towns have begun to inquire how Cromwell did it. Chief Brade attended a Fire Officer II class in Hebron. They had a guest speaker who was well versed with FLSA issues. He did not know Jason was in the class and began to discuss the challenges with FLSA and how Cromwell handled their situation and did it right. The Chief gave the Commissioners credit for allowing the Chief to proceed with these staffing changes that are now becoming well known around the State.

ADJOURNMENT

There being no further business, a motion was made by Commissioner Spotts, seconded by Commissioner Hinnners and unanimously approved to adjourn the meeting at 8:05 PM.

ATTEST:

Nancy Deegan
Recording Secretary
11-18-19



Jason Hinnners, Secretary