

Board of Fire Commissioners
REGULAR MEETING MINUTES

August 1, 2024

Present: Commissioner Longo, Commissioner Bemer, Commissioner Cofield, and
Commissioner Nursick

Absent: Commissioner Cavanaugh

Others: Chief Michael Thurz, Executive Officer Bernard Dennler

Commissioner Longo called the meeting to order at 6:30 PM

Commissioner Longo mentioned the Commission still needs another member and has not heard anything regarding an appointment. He has not heard if there have been any interviews. It has been quite a while, so maybe a phone call would be in order?

Public Comment: None

Approval of Minutes:

Commissioner Longo asked for a motion to approve the minutes from the June 2024 meeting. Commissioner Bemer made a motion to approve, with Commissioner Nursick seconding the motion. Commissioner Bemer noted a typographical error on Page 2, second bullet the word “introduced” should be “introduce”. The motion passed unanimously.

Communications:

Chief Thurz provided the Commission with a draft copy of a report prepared by Fire Marshal Makuch entitled ‘July 2024 Overall Program Status – Fire Marshal’s Office’.

Chief’s Report:

Chief Thurz reported the following:

- Captains Accornero, Curreri, and Ruggiero have recommended the following members for permanent membership:
 - Andrew Kimmel – Station 1
 - Kyle Sanzo – Station 2
 - Zachary DiBacco – Station 4
 - Niko Zimmitti – Station 4

Commissioner Bemer made a motion to accept the four members for permanent status. The motion was seconded by Commissioner Cofield. There was no discussion, and the motion passed unanimously.

- Remaining punch list items at Stations 3 and 4 have either been taken care of by the contractor or facilities staff. There are a few minor things that still need to be completed, such as signs for the restrooms. Commissioner Cofield inquired if the current air hoses for the apparatus would be replaced with a more permanent system? Chief Thurz replied he met with a contractor and is awaiting a proposal so that it can be submitted as a budget

request, either as a Capital Improvement Program or Capital Outlay expenditure. The plan would be to install all new compressors and air drops at each station.

- One of the new apparatus was tentatively scheduled to arrive in Cheshire tomorrow (8/2/24). The second apparatus is just waiting for a driver to drive it from Wisconsin to Connecticut next week. Commissioner Bemer inquired how long until the apparatus would be in the firehouses? Chief Thurz replied he was not sure because there was work, such as radios and other equipment that needed to be installed in Cheshire. The truck committee will be going to Cheshire to meet with the dealer to lay out the equipment in the cabinets. Chief Thurz noted the Hurst edraulic equipment will be brought to the dealer for installation as well. Commissioner Cofield mentioned there is a business next door to where the trucks are located that makes various mounting brackets for setting up the trucks. Chief Thurz concluded he hopes the apparatus will be in Glastonbury by Labor Day, where additional equipment will need to be moved and mounted, as well as training on the apparatus. Commissioner Bemer inquired if the edraulic tools have come in? Chief Thurz replied they are in Rocky Hill.
- A copy of the department's second quarter report was provided. The report showed 102 members, who are qualified as interior, support or probationary. The data also showed a comparison between last year's and this year's quarter. Included in the report was a page that illustrated the overall call volume by day and time of day for the quarter. There was a page that showed the total number of calls between January 1st and June 30th. The report was submitted to the Town Manager for distribution to Town Council members.
- Some officer performance reviews have been completed. There are still a few that remain outstanding, which the Chief has asked be completed by the end of the month.
- There were six members that did not meet the minimum annual requirements. Two were not eligible for a tax abatement. The other four did not own any real property in town.
- Commissioner Bemer inquired when officers get reviewed it is his understand that a Deputy Chief reviews them with the Captain. Do all the officers get the same interview and asked the same questions? Chief Thurz responded there is a standardized performance evaluation sheet that is used.
- National Night Out will take place on Tuesday, August 6th, 5 to 8 PM at the Riverfront Community Center.
- Review of operating expenses for Fiscal Year 23-24 and Fiscal Year 24-25.
- Commissioner Longo inquired if there is enough money left over to outfit the trucks completely the way we want them? Chief Thurz replied no, that all the money allocated towards the purchase of the apparatus was spent. Chief Thurz intends to ask for a transfer of \$20K out of the fire training facility to be transferred to the apparatus account. The two trucks cost \$800K+/- each, the purchase did not exceed the appropriation, but there is no contingency funds remaining to be spent on outfitting the apparatus.
- Commissioner Longo asked if the old rescue tools and equipment could be used somewhere else, or sold on Govsales.com? Chief Thurz replied there is zero value for the tools, and that the vendor will no longer service them. His recommendation would be to donate the tools and equipment to a regional fire school. Chief Thurz further stated he has received approval from the Town Manager to donate the tools, so they will be going to Eastern Connecticut Fire School once the new tools are in service. Firematic Supply would take

the tools, but since they have no value would not give any type of a credit. They would just use them for parts.

- Commissioner Cofield asked about the hydrants rentals between Metropolitan District Commission (MDC) and Manchester Water because as he did not see the expenditure. Chief Thurz replied that the bills have not come in yet, and it would be listed under Utilities and Communications.
- Commissioner Cofield also inquired how the Manchester Water value replacement was going? Chief Thurz replied he thought the work had been completed.
- Commissioner Longo inquired about Ladder 15 coming back after a period of time, but didn't see it reflected in the budget? Chief Thurz replied the cost of the repairs was in last year's budget, approximately \$13K. The truck needed to have the alternator replaced and repairs to a piston for one of the outriggers. Commissioner Longo asked if the alternator was replaced by Shipman's? Chief Thurz replied it was because the vehicle was coming back from Shipman's facility when it failed. This was the reason for the delay in not coming back sooner.

Old Business:

a) Update on Utility Terrain Vehicle

- Chief Thurz reported that the Utility Terrain Vehicle (UTV) was delivered in June. There were a few items missing on the unit, which the factory acknowledges and was shipping the various components to Scranton Powersports in Vernon for installation. The unit was dropped off on July 2nd, and there was still one item on back order, as of last week (7/22/24). Chief Thurz has a call into both Scranton and Polaris Defense for an update. Scranton Communications will be doing the lights and siren on the unit. The remaining funds will be used for graphics.
- Commissioner Bemer asked for an update on the new radios. Chief Thurz explained the radio committee was holding a meeting this evening (8/1/24) to make a final recommendation. Chief Thurz would then take the final recommendation to the purchasing agent so that a bid could be put together.

New Business:

a) Proposed Amendment to By-Laws

- Chief Thurz reported there were revisions made to the Department's By-Laws, which were sent to Commissioner Longo and posted in each fire station. As discussed at the last commission meeting, in accordance to the By-Laws, recommended amendments needed to be sent to the Chair of the Fire Commission and posted in each station for 30 days. Chief Thurz received one comment back, which was Commissioner Cavanaugh's first name was spelled incorrectly. Chief Thurz reported he made the following changes: the word "unit" was changed to either "point or stipend", the names of Fire Commission members were changed to the current body, the word "hours" was changed to "points", the word "unit" was changed to either "stipend or point" was changed. Anything that referenced hours was removed from the by-laws. Chief Thurz also removed from the document the statement "please note that the department does not compensate for travel time and will not reimburse for meal expenditures unless prior approval is obtained and noted". Under the new plan, the department will compensate for travel and meals expenditures. This was part of the FLSA test for

training that members will be compensated for travel time and meals, which is factored into the \$25.00 amount.

- Commissioner Bemer inquired about the change regarding 12 company drills to 12 department drills, as he did not see it in the by-laws. Chief Thurz replied there is a section titled Training at the Company level. The changes Commissioner Bemer was referencing needs to be made in the department's Standard Operating Guidelines, which needs to be revised next. The requirement is in the various job descriptions, which is a Standard Operating Guideline, which gives more flexibility to change in the future. This eliminates the need to come back to the Fire Commission for a change. This was a recommendation by the town's attorney when the by-laws were last reviewed.
- Commissioner Nursick asked if a vote was necessary by the Commission? Chief Thurz replied he would like the Commission to approve the amendments to the by-laws, but it could wait until the September meeting given Commissioner Cavanaugh was absent. Commissioner Nursick noted he had a concern given the by-laws were new to him, and was not comfortable signing off on them. By signing off on the by-laws he is signing off on everything, not just the changes. He felt if he had reviewed them ahead of time he would have given a more thorough review before he approved the changes. If it needs to be voted on today then he would find himself in a tough position. Chief Thurz explained that the by-laws were rewritten three or four years ago and reviewed by the Town's attorney and the Fire Commission. The only change being made was related to the word "units", and "hours" to "points". Commissioner Nursick responded he would like time to review the by-laws before he puts his signature on them. Commissioner Longo commented that the only changes being made was the wording for compensation. Commissioner Longo asked Chief Thurz what would be easier, for the Commission to approve and have Commissioner Nursick sign them at a later date? Chief Thurz stated they did not need to be signed this evening because he did not have the final document. However, if there are other changes to be made they would need to follow the process again. If there are whole-sale changes then they need to be posted for 30 days. Commissioner Cofiell noted there is a comment period. Chief Thurz and Commissioner Longo stated the proposed changes have been out for 30 days. Commissioner Cofiell stated that Commissioner Nursick hadn't seen the changes. Chief Thurz replied the by-laws calls for the changes to be given to the chairman. Commissioner Nursick asked if his concerns would throw any wrench into what needs to be done? Chief Thurz replied no, because the current by-laws are still in effect. Chief Thurz advised Commissioner Nursick to review the document, and at next month's meeting he will have the final version for the Commissioners' signatures. All commissioners agreed to sign the amended by-laws at the September meeting.

b) Public Act 24-16 Line of Duty Death

- Chief Thurz prefaced the conversation that he met with the Town Manager earlier in the day, and that he was supposed to attend this evening's meeting. Chief Thurz advised the Commission that the Town Manager has pulled the discussion on the public hearing from Tuesday's agenda (August 6, 2024). The Town Manager had asked Chief Thurz to go back and put together a plan.
- The following discussion followed:

- Commissioner Bemer stated the bill started as a public hearing on 2/22/2024. The Senate passed it 36-0 on 5/6/2024. The House passed it on 4/30/2024 147-0, there were four people absent. The paperwork and document went to the Secretary of State and the Governor signed it on 5/14/2024. Commissioner Bemer questioned why the Commission wasn't notified about this bill until someone saw it at the July town meeting?
- Commissioner Longo said he was unaware of it until it was brought to his attention. He stated that Commissioner Nursick saw it, made notes and called the Commissioners with concerns, which the Commission expressed its opinion by a letter. We did not necessarily agree to what was being proposed, and was actually in support of the Fire Chief. There has been no response since then. It would have been nice if the Commission had known about it and was able to chime in, our intent is not to rewrite anything. We are sticking up for our membership and the Chief. Commissioner Longo felt the letter was very well written with a copy to the Town Manager.
- Commissioner Nursick went on to state that the Town Council meeting was held on July 9th and that he watched the meeting two days later. That was the first time Public Act 24-16 had been mentioned, and it was before the Town Council to be recommended to go to a sub-committee on policy and ordinance for review. The Town Manager in the first five or ten minutes of the council meeting made his comments that he thought the authority, he, along with the town's attorney be with him and suggested to the town council. One of the things he found very troublesome for all is the Town Manager's comment "significant financial ramifications" that may go along with the public act. That the Town Manager, in his collaboration with the Town Attorney, thought the Town Council should create by ordinance an authority for the Town Manager to have the determination authority when it comes to line of duty deaths in accordance with Public Act 24-16. Commissioner Nursick went on to say the Town Manager did make some other comments that he would reference or discuss with other appropriate people to make the determination as to line of duty death. Commissioner Nursick said it certainly struck him, and asked the other if they felt differently, that the immediate reference to financial ramifications when it comes to a line of duty death was not a very good choice of words, and perhaps reflected a lack of objectivity if a determination, god forbid ever needs to take place under the provisions of the public act. Clearly the legislature had no issue what so ever giving the authority to the chiefs, Fire, Police and EMS. They allowed a carve out in the public act for the towns via ordinance or charter prevision to delegate that line of death authority to someone else. However, it should be with the Fire Chief in making that determination with our firefighters. I see the Fire Chief position as being the most objective, and certainly unbiased decision-making authority if something like this was to ever occur. It is clear that there is not going to be a public hearing on August 6th, so he is unclear, but interest to see the process or protocol going forward, but supports having the Fire Chief having the line of duty death determination.
- Commissioner Cofiell mentioned that what upsets him is the Commission did not hear about the Public Act. The Commission drafted a letter that we all agreed on and signed, and still have not received any acknowledgement back to us on our letter. The lack of consideration to us in the process is upsetting to the Commission.
- Commissioner Nursick agreed with Commissioner Cofiell. It seems perfectly reasonable that the Commission should have had input on this determination, and it

was not brought to our attention at any step through the process. The Commission had to react last minute to try to get its opinion on the record so it could at least be out there. The Commission was not consulted or advised and it seems this is under our preview to have something to say about the public act.

- Commissioner Cofiell commented in the end the Town Council makes the final decision, but with this type of a subject and no input from the Commission doesn't seem right. Commissioner Cofiell concluded that the Commission is an advisory board to the Town Council and this is total disregard of our input
- Commissioner Nursick stated there should have been some courtesy notification and a chance to provide an opinion on the matter, not in a last-minute fashion, but in a collaborative fashion.
- Commissioner Longo stated he doesn't want to belabor the point, but we all recognize the Town Manager would ultimately be involved, especially if there are financial considerations, which there obviously would be with insurance policies. The Town Manager is the administrator of those policies. The Commission feels the Chief should be the primary person and not the Town Manager. That is the Commission's opinion, advisory opinion whatever you want to call it, that is where it stands.
- Commissioner Nursick replied that with any line of duty death there is going to be financial ramifications, that is going to happen, but it should not be a consideration in an objective determination process for a line of duty death. Yes, there will be a ramification, but it should not be a consideration, and that is what has me fired up. The financial implication of a line of duty death should not be considered when making an objective line of duty death determination. Finance has nothing to do with it, and it should not be taken into consideration, and that was his take away from watching the meeting, given the financial aspects it should go to the Town Manager.
- Commissioner Bemer agreed with Commissioners Cofiell and Nursick. The comment from the Town Manager upset him. It is hard to support someone when they make that comment. It was very disrespectful to the Fire Department and the Fire Commission. I'm entitled to my own opinion as everyone else is, but when they had the sub-committee meeting, and the Town Manager was asked to give a copy of our letter in the packet for the meeting and he didn't do it. Whether it was an oversight or not, I cannot support someone who is not looking out for our best interests.
- Commissioner Cofiell replied hopefully whatever document that was supposed to come before Tuesday's council meeting will now be shared with the Commission. Commissioner Cofiell asked Commissioner Longo if the Commission should schedule a special meeting before the next Town Council meeting to sit down and talk about it?
- Commissioner Longo agreed that should be considered, and maybe the Town Manager's intent was to come to tonight's meeting and discuss it with us. That would be welcome. Our intent was not to turn the world upside down here. We just wanted to be considered, share our opinion and stand up for our department and members. There could have been some missteps, the Town Manager said it was an oversight, I have no idea. I hope that everyone has seen it by now, know where we stand, and sit down and discuss if they have a problem with it.
- Commissioner Cofiell commented this is why we need to have a special meeting.

- Chief Thurz asked if he could interject? Chief Thurz reiterated that he had a meeting with the Town Manager earlier in the day, and that he does have the best interest of the membership. He understands if there is a death when someone is doing their job there is a financial implication. Chief Thurz and the Town Manager are working together on developing something. Chief Thurz addressed Commissioner Bemer's concern of not being notified about the bill. Chief Thurz took responsibility for not informing the Commission about the bill, as he did some work on it through this affiliation with the Connecticut Fire Chiefs Association. However, he did not think it was going to get to this level of magnitude. Chief Thurz provided a history of how the bill came about following the death of Firefighter Anthony DeSimone with the North Haven Fire Department. Chief Thurz concluded by saying he will be working with the Town Manager to come up with some type of consensus in putting together a check list in what would qualify as a line of duty death. Who signs off on it does not really matter. As long as I, as Fire Chief have an opportunity to do my due diligence, present a document that illustrates a firefighter has met all the criteria to be considered as a line of duty death, and is entitled to the benefits.
- Commissioner Longo responded the Commission feels that the Fire Chief would be the best person, closest to the situation, and able to facility checking all the boxes because you may have very well been at the scene of the incident and observed a lot of it. Chief Thurz responded, what if one box isn't check, or if there is some doubt? The Fire Chief may not be comfortable in making that decision, so therefore there must be some checks and balances with multiple people providing oversight. With that said, Chief Thurz has asked the Town Manager to be able to put together a package, and that is why the public hearing has been cancelled.
- Commissioner Cofiell inquired if Chief Porter (Glastonbury Police) is part of the same committee? Chief Thurz stated he is working on this based on his familiarity behind the bill, and whatever criteria is established would best fit the three public safety agencies. Because the public hearing is postponed, there is more work to be done, and he will report back to the Commission on what is being developed. If anything, there needs to be a consensus document with a multiple set of eyes reviewing the criteria and not just one individual. I do agree that the Police, Fire and EMS Chief need to be involved in the process and gather all the facts.
- Chief Thurz advised the Commission that in the event of a line of duty death, the department is a member of the Connecticut State Firefighter Association which has a \$20K death benefit. The department also purchased a supplemental insurance policy many years ago that has a \$75K death benefit. On top of that, if there is a line of duty death, thorough the National Fallen Firefighters Foundation there is an application that can be submitted through the Department of Justice known as the Public Safety Officer Benefit (PSOB). The death benefit is now over \$400K and continues to grow. Chief Thurz does not know the funding source for the PSOB and needs to investigate it further. Chief Thurz concluded that in talking with the Town Manager he is also looking at offering some type life insurance for the membership beyond the line of duty death benefit. The Town Manager understands that what members do is dangerous, and wants to find a way to entice people to join the department. The Town Manager has asked Chief Thurz to look into some short term and long-term disability and life insurance. There is a lot going on and it's not ready to go forward. I understand the Commission's frustration, and you can blame me for not mentioning the line of duty bill. All that the legislature did was mirror what's already in existence within the

Department of Justice's PSOB language. There is more work to be done, and I don't know if a special meeting is necessary.

- Chief Thurz has spoken with Chief Porter regarding this matter. For the Fire Department it is a little bit different. It will require members to have an annual physical. The bill has nothing to do with cancer, which is a separate issue. The fire service in this upcoming session is also looking into more benefits regarding line of duty death. The Police Chiefs Association recently had a bill pass where there is a \$100K death benefit. This is something the fire service will try to get during next year's legislation. Chief Thurz also offered to provide the Commission with a list of the different bills that are introduced during the legislative session. Chief Thurz reiterated that it's not something the only the Town Manager knew about. Chief Thurz knew the bill was being introduced into legislation, and was at the Capitol talking with the legislatures about getting it passed. This is a huge responsibility on the Fire Chief, and what if the wrong call is made? Then there could be 100 members pointing fingers at Fire Chief if someone is denied benefits. This is why there needs to be consensus, a protocol, some type of standard that is developed.
- Commissioner Cofiell responded that no one is questioning protocol. There are a couple of different issues, one is how the Commission found out about it, where we saw it, and how it was brought up to the Council and not to us yet. The other part of it is, you make life and death decisions, not every day, but every call you make life and death decision, so all of a sudden to have this one decision it is not like you have never made high level decision before. We expect there would be a checklist to decide. We have been fortunate, as I know of, to never have this happen in our town. The legislature felt it enough to go through this work, to be bipartisan, which let's be realistic how often does bipartisan support happen up there? They are in support of the firefighters, which I think we all already know with some of the other bills that have passed. They started with the chiefs, and not the Town Manager or a town liaison. The legislature wanted every town to have this as part of their recruitment and retention, and that they really care about the firefighters.
- Chief Thurz noted there was some push back from CCM (Connecticut Conference of Municipalities) as long as this bill didn't fall under workman's compensation. Chief Thurz did disagree with Commissioner Cofiell that it is a difficult decision because of the impact the benefit has to the family. Again, the goal is to put together a consensus document that outlines the criteria. However, there is still work that needs to be done.
- Commissioner Cofiell replied he feels that the Fire and Police chiefs would be working together on the matter. Granted the police have different stresses, and the way they do things are different, but in the end the benefit is still the same. You should both be involved in the whole process, and it doesn't really sound like that?
- Commissioner Longo remarked he thinks there are some intervening things with the police department. They are full time employees, with a pension, a contract, but the checklist should parallel each other? Chief Thurz replied they are not, because police officers are not required to get annual physicals, and firefighters are required to have NFPA (National Fire Protection Association) 1582 for the cancer. Commissioner Longo was not aware that police officers don't have annual physicals.
- Commissioner Nursick stated that he appreciates what Chief Thurz had said earlier, but the devils in the details. Until I see whatever the protocol is going to be, I am not

persuaded in where I believe the authority should lie. We will wait for the protocols to see what it is. I think we all expected it would be a collaborative process whether it's with the Chief, or any other entity. They would have the ability to bring in whoever they needed, medical examiners, doctors, whatever you need to do to objectively investigate the line of duty death, and then make the determination. Even with a protocol, it is still going to come down to one person, whether it is the Chief or the Town Manager that will follow the protocol and make the determination on a line of duty death. To me the chiefs are right at the top in the public act. Based on what has transpired I firmly believe it should be with the Fire Chief. This is still evolving, will have to see what the protocol is, and it might need to be verified by a number of people, then it goes to one person to make a final decision. Maybe it is going to be the Town Manager or it be a collaborative decision-making process as to where someone takes votes. If there are multiple people making the decision, you're the Chief you will have input on it. What if you disagree with the Town Manager on how you feel about something but it still goes back to him to make the final decision. I am still of the mindset that the Fire Chief is the most appropriate for our firefighters, but I'm open-minded, we will have to wait and see what the protocol is, and then we will have to rethink how we feel.

- Commissioner Cofield commented the Commission will have to wait and see what its next move will be, if there is a next move.
- Commissioner Bemer mentioned the letter sent by the Commission to the Town Council and Town Manager on July 15th and felt Commissioner Cofield was correct in that two weeks the Commission has not gotten any correspondence from either the Town Manager or the other people who received a copy. Common courtesy is they should have notified the Fire Commission's Chairman they received the letter. I think the Town Manager needs to listen. At the first meeting, when Councilor Niland asked how many times this has happened in the Town of Glastonbury, and the Town Manager has yet to answer that question. I don't think this has ever happened. My biggest thing in life is communication and listen. I may not agree on what you say, but I think he is going down the wrong path with the first statement that he made. He has had every opportunity to say it was a misstep, a misunderstanding, and he has said nothing, and then to forget something in a package, two wrongs don't make it right, I am sorry. I will listen to what you have to say after you meet with him, but I agree with Commissioner Nursick that it should stay with the Fire Chief.
- Commissioner Longo replied he thinks this has all been positive, it is headed in a good direction, and to be fair we should let it run its course. Let them come up with a plan at these meetings and see where it goes. I think our letter spurred some interest, gave them pause to think, and we were above boards about it. I feel it is a worthy discussion. I'm all in favor of letting it run its course. If we can reiterate our opinion, or share in a discussion to support the firefighters and the Chief so be it. I think that is fair.

Committee Reports:

- Commissioner Longo reported there was no Strategic Planning Committee report. Chief Thurz noted the committee took the summer off. The committee will reconvene in September.
- Commissioner Longo noted Commissioner Cavanaugh and he will meet with the Chief in

November and December to discuss the budget. Chief Thurz replied they will need to meet sooner so that when the first draft is submitted it has been approved by the Commission. Chief Thurz does not know the status of bonding for fire apparatus. If the town elects not to bond then it will remain in Capital Improvement Program. Chief Thurz suggested meeting in September, after Labor Day to begin some discussion pertaining to Capital Improvement and Capital Outlay.

Adjournment:

- Commissioner Cofield made a motion to adjourn, seconded by Commissioner Bemer. The motion passed unanimously.
- The meeting adjourned at 7:40 PM.
- The next regular meeting will be held on September 5, 2024, at Company 1, 2825 Main Street, at 6:30 PM.

Deborah M. Heald

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Recording Secretary

c: Fire Commission (5)
Fire Chiefs (4)
Fire Captains (4)
Jonathan Luiz, Town Manager
Michael Makuch, Fire Marshal
Gina Consiglio, Purchasing Agent