



**WESTFIELD, MASSACHUSETTS
WESTFIELD FIRE COMMISSION
REGULAR MEETING MINUTES
MAY 2, 2022**



Fire Commissioner C. Lee Bennett called the meeting of the Westfield Fire Commission (hereinafter WFC) of May 2, 2022 to order.

Location: Little River Fire Station
Community Room
366 Little River Road
Westfield, Massachusetts

Date: May 2, 2022

Time: 18:00 hours

MINUTES TAKEN:

Christie Fillion, Westfield Fire Department (hereinafter 'WFD') Head Clerk

Chairman's announcement:

Westfield Fire Commissioner C. Lee Bennett in accordance with the Open Meeting Law Changes (Reference Memorandum dated June 18, 2010 'Open Meeting Law Changes'), from the Office of the City Solicitor, made the following announcement to all participants and attendees that the Westfield Fire Commission Regular Schedule meeting of May 2, 2022 is being audio recorded.

Westfield Fire Commissioner C. Lee Bennett also made the following inquiry that if there is anyone making a video or audio recording of the meeting, please indicate this to the Chair.

PRESENT IN ATTENDANCE:

Westfield Fire Commissioner C. Lee Bennett, Westfield Fire Commissioner Jeffery Siegel, Fire Commissioner Albert Masciadrelli, Fire Chief Patrick Egloff, Captain Keith Supinski, Captain Paul Lentini, and the following Firefighters: Travis Lucia, Kyle Roy, Gina Favata, Michael Feyre, Clarke Robinson, Tyler Ritchie, Ryan Chenevert, Keith Lemon, Niles Lavalley, Matt Marchesi, Kyle Morrissey, Katie Verrochi, and Chris Brown.

ROLL CALL:

Commissioner C. Lee Bennett asked for a roll call.

Commissioner C. Lee Bennett – present
Commissioner Jeffrey Siegel – present

Commissioner Albert Masciadrelli – present

PLEDGE OF ALLEGIANCE

READING OF THE RECORD OF:

- a. WFC Regular Scheduled Meeting Minutes April 12, 2022.

Commissioner C. Lee Bennett ascertained a motion to accept the minutes of April 12, 2022 Special Meeting.

Commissioner Jeffrey Siegel made a motion to accept the minutes for April 12, 2022 Special Meeting.

Commissioner C. Lee Bennett seconded the motion.

A discussion regarding which version of minutes were being voted on occurred—original minutes typed by Patricia Breton or the minutes with additions and further clarification by Commissioner Masciadrelli.

The minutes being voted on are the minutes with Commissioner Masciadrelli's clarifications.

Roll Call

Commissioner C. Lee Bennett	YES
Commissioner Jeffrey Siegel	YES
Commissioner Albert Masciadrelli	YES

Yes (3) No (0)

Motion Passed

PUBLIC PARTICIPATION: Several firefighters in attendance spoke during public participation regarding the topic of bidding for substations and the benefits of working at the same fire station and with the same partner. Firefighters Michael Feyre, Kyle Morrissey, Ryan Chenevert, Clarke Robinson and Matt Marchesi spoke on the subject. Each firefighter had a three-minute time limit to speak. During Firefighter Marchesi's time, Commissioner Masciadrelli ascertained a motion to extend the 3-minute time limit in order for FF Marchesi to finish his thoughts.

ROUTINE BUSINESS:

- a. Introduction – Commissioner Bennett thanked everyone who attended the Firefighter's Ball on April 23, 2022. The ball was very nice. She had a great time and she was very impressed.
- b. Letter and Communications

Chief read a thank you card from Lisa Padilla, Administrative Assistant to Mayor Michael McCabe, for the Fire Department's participation in the drive-thru Easter Egg hunt at Westfield High School. Engine 3 was staffed by Captain Keith Supinski and Firefighters Matt Medeiros and Scott Bullock. Sparky the Dog was also present at the event.

REPORTS FROM THE WFD & WFC:

- a. Chief Egloff to report on status of key areas of the department.

Department Promotional Lists

The Deputy Chief's exam is scheduled for May 21, 2022 and has been opened to both Captains and Privates with at least one year of service on the department.

Organization Status

New Recruit Update: Erika Rubner & Dustin Russo have both passed their department physicals and psychological evaluations. Their practice and final PATs are scheduled for May 3, 2022 and May 6, 2022. They have completed their employment paperwork for the Fire Department and City Hall.

We have two members who are IOD; two of which have been long term. They are both in the process of retirement.

Deputy Ellis submitted a probationary firefighter report for Jacqueline O'Brien on April 25, 2022. Her review was very good and she is meeting the expected performance standards at the five-month mark.

The Deputies have divided up the Department's S.O.G.s between themselves and they will review and make needed changes to them. The S.O.G.s will then be reviewed with all the deputies and then sent to the Chief for his review and acceptance.

The City, the Supervisor's Association and the Local 1111 have started contract negotiations and will be meeting this week moving forward.

Acquisition of 2022 Apparatus

Mayor McCabe has added funding for a new fire apparatus in the FY2023 budget. Paying for the first year of the lease to own prior to delivery of the apparatus gives the City a substantial discount. The next step will be to discuss with the Finance Committee.

FY 2023 budget

A level funded budget was submitted to the Mayor per his request. The Chief went over the budget with the Mayor and the Auditor at two separate meetings and was asked to make some changes with funds in different accounts. He has made the

changes and has submitted them back to Auditing. Chief Egloff was informed by the Auditor that the funds have been added to the Mayor's budget for the 2024 apparatus and for EMS Training. Chief believes the Mayor will be submitting the budget to the City Council this week. The next step will be to sit down with the Finance Committee to discuss the budgets.

Grant Processes

Chief ordered an SCBA fit tester and an extra set of gloves and a Nomex hood for each firefighter through the Mass DFS FY22 Firefighter Safety Equipment Grant Program. We have received the fit tester and gloves but are still continuing to wait for some backordered Nomex hoods.

We continue to await news of the 2022 AFG Grant that we wrote to replace all of our aging SCBAs. We hope to hear in the coming months.

OLD BUSINESS:

a. Westfield Fire Department Annual Report.

Commissioner Masciadrelli reported the annual report is in process of being printed. The format of the report needed to be updated for the printing equipment. Commissioner Masciadrelli received a draft copy and has requested 25 printed copies which will be distributed to the Fire Commission, the City Councilors, Mayor McCabe, and the City Clerk's office. Chief Egloff will receive a copy. A copy will be placed in the Deputy's and Captain's office. Commissioner Masciadrelli will have the annual report uploaded to the City's website once it has been accepted by the City Council. Commissioner Masciadrelli did update one picture of the fire station after the vote at the last meeting. The picture of the station was one with the memorial buntings and was replaced with a picture of the building without the buntings.

NEW BUSINESS:

a. Westfield Firefighters Local 1111 Grievance # 20220404-1

Travis Lucia, Local 1111 Union President presented the Union's position on the grievance. He described the timeliness issue of the grievance. This grievance pertains to Article 6 Section 1 "Seniority" and it states a substitution position, after 6 weeks, is considered a permanent vacancy and that the vacancy will be made to the most senior employee going down the list. If no one submits a bid for a position, the Union states the Chief no longer puts that position out to the Bargaining Unit should there be interest from a member in the future to take one of those positions. For example, for about 2 years, the Union has known that a position may go out, may go unfilled and then the position will no longer be available to the Bargaining Unit. This issue has not been grieved yet as it isn't recorded in writing anywhere.

A discussion occurred regarding the wording and meaning of Article 6 Section 1 and how the reading of this article and the meaning could be considered opposite to another person. There was a suggestion to re-write and formalize the bidding process especially since contract negotiations are opening up.

The Union's perspective is "permanent vacancy" is when someone retires, upon death, promotion, or separation of employment or decides to change which station they are working at.

Chief Egloff states there is no language regarding reposting of anything. The Chief's perspective is if a position is posted and no one bids for it, the position is now a permanent vacancy that he doesn't have to fill.

A discussion of how there are different perspectives of the "intent" of contract language by different parties ensued.

Chief Egloff stated the grievance is untimely and is past-practice for 2 years. Chief Egloff spoke about when the 2 positions were posted in January 15, 2020 and no one had bid on the 2 positions.

The past practice was viewed differently by the Union and the Chief for the bidding of positions. The Union's view is to keep the positions open to the members who want them. Chief Egloff's view is to post the position and if bids are received, the person who is the most senior-qualified person is awarded the position. The issue of not receiving bids a position had never occurred prior to January 15, 2020.

Chief Egloff stated "I have posted every permanently vacated position since I became Chief of the department. I posted 12 positions since 1/15/2020. Only 5 positions were bid on during this timeline and all were awarded to the highest person in seniority that bid on them. The contract states that I have to post the positions for bidding; it does not address what to do if no one bids on them. As far as the City is concerned, this grievance is untimely as it has been a past practice by the City for over two years to not repost these positions. The grievance period is 5 days. Also the previous President of the Union was very aware of my thoughts on this section of the contract for the last 2 years and did not put in any grievances about this practice during his tenure. I was even informed by President Lucia that Past President Supinski had brought this practice up during multiple past union meetings with no grievances filed. Just because there is new union leadership and this new leadership doesn't agree with the past leaderships' decision not to grieve it, doesn't give them a new clock on the grievance process. We have entered negotiations and the Union President was informed that if they wanted to make this section of the contract more black and white, they should petition to the City through Collective Bargaining."

Union President Travis Lucia stated *"he did inform the past president of his (Chief Egloff's) thoughts on this matter but not on the new policy or on a new change. We are not calling it a new change because it never happened before. At some time, the Union bargained with the City for these positions, to remain available to the members to take for however long they want to take them based on their seniority*

and qualifications. I understand the Chief has his position on it. The position was never made officially known to the bargaining unit. Just because something was said to myself or a past president doesn't mean the president needs to be the sounding box of 'this is what we are going to do'."

Keith Supinski, past president of the Local 1111, for the record, stated "he was in the office when this happened. As I stood up in front of the members numerous times, I said we cannot grieve something that has not happened. The positions were put out, they were unfilled and nobody wanted them. As it stands now, someone wants them. My stance is unless someone wants to put their feet to the fire and take the position, we do not have a grievance we can do. We cannot do something unless we actually have somebody that wants to take that position."

The discussion continued regarding the lack of reposting the positions, the grievance, working at substations, what the particular substations offer and the wording of temporary vacancy and permanent vacancy.

Commissioner Siegel made a motion the grievance is timely and to proceed to the next step.

Commissioner Masciadrelli seconded the motion.

Any Discussion: **YES**

Commissioner Bennett doesn't see it as timely and the issue needs to be bargained. The language is deplorable.

Commissioner Siegel stated the language doesn't state what he should do or shouldn't do.

Commissioner Bennett states it is past practice for the past 2 years.

Commissioner Siegel states it hasn't been tested the past 2 years and now they have.

A discussion occurred regarding past practice. The City's Law Department believed it is untimely. Commissioner Siegel requested to see the Law Department opinion and temporarily adjourn.

Commissioner Masciadrelli would like to move it up.

A discussion occurred regarding tabling the grievance, the time limit of a grievance, and contract negotiations. The "intent" of the contract was brought up and discussed again.

Mike Feyre, Local 1111's Secretary, for the record stated, *"the past 2 years, from 2020 and on, have been absolutely unprecedented for the Fire Department. We were the only department in the whole City to work full-time through everything that went on (COVID). Honestly, I may have wanted a substation spot prior to this but I didn't put in for it because different substations dealt with COVID in different ways. We were comfortable in our*

different spots. Changing our lifestyle, our schedule may not have been the best idea at the time and speaks why some of these positions were not filled at that time. Now people are talking about maybe wanting to take those spots because everything has leveled off, we are not taking as many COVID calls and everyone has gotten used to the how everything is going on”.

Language content in the contract was discussed again along with the subject of a timeline for a grievance and if it can be tabled.

The motion Commissioner Siegel made is that this grievance is timely and we should proceed to the next step. Commissioner Masciadrelli had seconded the motion. A roll call was requested and there was no more discussion.

Roll Call

Commissioner Albert Masciadrelli	TIMELY	YES
Commissioner Jeffrey Siegel	TIMELY	YES
Commissioner C. Lee Bennett	NOT TIMELY	NO
TIMELY	YES (2)	
NOT TIMELY	NO (1)	

Motion Passed

Commissioner C. Lee Bennett made a motion to deny the grievance.

Commissioner Jeffrey Siegel seconded the motion to deny the grievance.

Any Discussion: YES

Commissioner Masciadrelli agrees with Union President Travis Lucia, believes it is past practice and believes postings have been reposted in the past.

Commissioner Siegel questioned Commissioner Masciadrelli further regarding the reposting of the vacant positions.

Chief Egloff stated he had had multiple conversations with Commissioner Masciadrelli, when he was chair of the Commission, that he (Masciadrelli) felt the Chief should have full right of assignment regarding permanency at the substations. Chief Egloff stated, for the record, he doesn't understand where Commissioner Masciadrelli's position is coming from.

A discussion occurred regarding the reposting of positions between the Chief and the Fire Commissioners.

Commissioner Siegel clarified with Commissioner Masciadrelli on his position that the grievance should be sustained. Commissioner Masciadrelli stated he believes the Chief has the right of assignment but he needs to go along with the contract. Commissioner

Siegel asked to Commissioner Masciadrelli, for something that has a record, "you believe positions have been reposted in the past and therefore, there shouldn't be any..." (sentence was not finished as Commissioner Siegel was interrupted). Commissioner Masciadrelli during the last sentence was answering yup while Commissioner Siegel was speaking.

A conversation started on the subject of posting and reposting positions at substations.

There was a discussion regarding what the grievance is specifically about, reposting positions, negotiating, past practice and what authority the Commission has with the wording of the contract. Commissioner Siegel questioned the language of the contract and the difference between "when the vacancy occurs vs when it opens".

To review the motion made, Commissioner Bennett made a motion to deny the grievance. Commissioner Siegel seconded the motion.

Roll Call

Commissioner Albert Masciadrelli	UPHOLD GRIEVANCE
Commissioner Jeffrey Siegel	DENY GRIEVANCE
Commissioner C. Lee Bennett	DENY GRIEVANCE

YES (2) – DENY GRIEVANCE
NO (1) – UPHOLD GRIEVANCE

Motion Passed

The Fire Commission recommended to have the contract language be re-written and include the bidding process in the new contract language. A discussion started regarding what should be done for the bidding process and contract updates.

Commissioner C. Lee Bennett ascertained a motion to adjourn the meeting.

Commissioner Albert Masciadrelli made the motion.

Commissioner Jeffrey Siegel seconded the motion.

All In Favor

Time: 19:21 hours

Respectfully submitted,



C. Lee Bennett, Chair
Westfield Fire Commission
caf