

Meeting of the Board of Fire Engineers

June 28, 2000

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Meeting called to order at 7:45 p.m.

Members present: Michael S. Trovato, Chief
Warren Alexander, Deputy Chief
Adam Wolf
Russell Zawaduk
Gerard Menangas
Joseph Notaro
James Roderick Jr.

Others present: Rosemary Henrique
Jeffrey Francis
Michael Smith, Captain #3
Joel Macara
Tim Rowell
Craig Martin
Thomas Roda, Rescue Captain

Board members in favor of holding meeting in executive session.

Henrique requested the meeting be held in an open meeting forum.

Chief Trovato advised those present that the meeting was being held to discuss the vote of House #3 re-electing Ms. Henrique to the position of Lieutenant.

The Chief advised Henrique that he did not question her ability as an EMT or a Firefighter but there had been a few incidents that occurred that needed to be discussed.

1. On April 8, 1998 the Police Dept. called the Chief to the Main Station to remove an intoxicated Henrique from the building. He advised Henrique that she should not have been in the building in that condition.
2. The Chief, Deputy Chief and the Wiring Inspector were responding to a complaint at Cumberland Farms, where Henrique was working, regarding the walk-in and light fixtures. As they arrived, a rescue call was dispatched. When they walked through the door, the chief saw Henrique look at him, say something to the manager and leave the building. Upon completion of the inspection, the manager advised the Chief that it was not right to ask one of her employees to go on a rescue call because there was no one else to go. The Chief advised the manager that he had not asked Henrique to respond to the rescue call
3. The third incident occurred when the Chief found Henrique's car and her niece's car in a bay at the Main Station. Then at a Rescue Association meeting, the Chief informed everyone present that non-fire/rescue personnel should not be driving their vehicles into the apparatus room. The Chief explained that someone could be injured or a vehicle damaged and the Fire Dept. would be responsible. He added that when people clean out their cars in the bay they should also clean up after themselves. The Chief checked the bay the next day and found it full of sand & ice. Henrique had not cleaned it up. The Chief then heard from other members in the department that Henrique was mad at him. Shortly afterwards during a telephone conversation, the Chief asked Henrique if she was mad at him and she stated she was not. He asked her again if there were any problems and she stated that she needed a new firecoat but when she had asked Menangas he told her to get on the treadmill and she was upset by Menangas's

comment. The Chief stated he did not remember the incident and Menangas was probably joking around. Henrique agreed.

4. Another incident was when Henrique brought in an outsider to the workout room without asking permission.

Alexander expressed his displeasure regarding the comments that came back from department members that the Chief broke the rules. He then read portions of Chapters 3 & 4 of the Personnel Rules and Regulations.

Henrique stated that she felt the first complaint should have been acted on at the time it occurred and not two years later. Regarding the third complaint, Henrique stated that many other members have allowed family members or friends to use the bay at the Main Station and she felt like she was being singled out. She added that as far as her friend being in the exercise room, she had been advised by someone in the room that she was allowed to bring in a friend.

The Chief stated that he had never seen anyone who was not a department member bring their vehicle into the station.

Wolf stated that although some of the incidents had happened a while ago how could things be straightened out if they were not discussed.

Henrique stated that when there were Engine Companies in the building drinking at meetings, they left the building in the same condition as she was in when she was PC'd.

She added that she had never shown up at a call under the influence of alcohol.

Alexander asked Henrique what the policy was regarding alcohol.

Henrique stated it was a Town Bylaw that there is to be no alcohol in a public building.

Alexander stated that the responsibility of good conduct did not rest solely on the Board of Fire Engineers it rests on the officer in charge of each company. He added that if the officers allowed drinking to go on they were remiss in their duties if they do not report it to their District Chief.

Henrique stated that Chief Trovato had walked into a meeting where there was drinking going on and never said a word about it.

The Chief stated that he did not see anyone drunk and added that in the past he had allowed members to have a beer with their dinner but from now on there would be no drinking allowed on the property.

Notaro stated that the board should have been made aware of the incidents when they occurred especially if they were serious enough to effect an individual's position as an officer. He added that as far as Henrique was concerned she has presented herself to the members of #3 as a responsible officer. Notaro stated that he was impressed by Henrique's work as an officer. He added that she did have an attitude at times but she has been subjected a number of times to a great deal of personal sexist commentaries.

Alexander advised Henrique that she should have reported the incidents to her Captain.

Captain Michael Smith advised the board that if he had been made privy to the incidents then possibly he could have intervened and addressed the issues.

Motion: Notaro motioned to table his original motion until the next scheduled meeting; Alexander seconded the motion; All in favor.

Motion: Wolf made a motion to go into Executive Session to discuss Jeff Francis's application for membership into Engine Company #3; Zawaduk seconded the motion; All in favor.

Mr. Francis requested that the meeting be held in an open meeting forum.

Motion: Notaro made a motion to table the approval of Francis's application for membership in Engine Company #3; Wolf seconded the motion for discussion.

Chief Trovato advised Francis that the board had approved his membership in the Rescue Squad at the March 31, 1999 meeting, pending a physical exam. The Chief added that the board approved his application for membership in the Rescue Squad in order for Francis to meet Lower Cape Ambulance requirements to hold a position on LCA.

Francis's physical exam report was submitted to Headquarters on November 30, 1999. The Chief stated that the board had some concerns with Francis's physical exam which showed a weight of 350 lbs. and stated obese but youthful. It also showed a pulse rate at rest at 88, after exercise 160, and three minutes later 100. It also revealed Borderline Hypertension.

Chief Trovato advised Francis that had he applied for a position in a Firehouse, prior to his rescue squad application, the application for membership would have been denied.

The Chief suggested Francis have another physical exam performed by a Physician of the board's choice. The physician will be advised of the duties required of a firefighter.

Francis asked if this was a policy that had been followed before since he had never heard of it.

Chief Trovato stated that he had never before received a physical report with the same comments that to him drew up a red flag.

Notaro stated that when the board's vote was taken the board's concerns should have been added to the vote whether the person is accepted or rejected for membership.

Francis stated that he had never been told of the board's concerns regarding his physical exam that would place limits on his membership as a firefighter. He informed the board that he had a lot of experience in the Wellfleet Fire Dept. running the pumps and in tanker shuttle operations and he enjoyed it. He added that he wasn't looking to sue or accuse anyone of anything, he would like to serve the Town.

Motion: Notaro motioned to table the matter until the requests of the Chief were met; Alexander seconded the motion; All in favor.

Rescue Squads vote for the Lieutenants position discussed.

Alexander stated that the Rescue Lieutenants position wasn't any different than membership on #3.

Francis stated that the Rescue Lieutenants position was mainly clerical and he didn't understand where physical limitations came into play since the board didn't have a problem voting him into the rescue squad.

Wolf advised Francis that the motion he made to table the matter at the last meeting stood until the board received a second physical exam from Francis and met with the rescue squad.

Portuguese Festival Parade discussed.

Letter received from Paul Seely requesting the fire departments participation in the parade on Saturday, June 24th.

Adjournment

Motion: Notaro motioned to adjourn the meeting; Zawaduk seconded the motion; All in Favor.

Meeting adjourned at 10:15 p.m.

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