



Personnel Committee - Board of Representatives

Anabel Figueroa, Chair

Mary Fedeli, Vice Chair

Committee Report

Date: Wednesday, April 24, 2024
Time: 6:30 p.m.
Place: *The meeting was conducted remotely*

The Personnel Committee met at the above date and time. In attendance were Chair Figueroa, and Committee Member Reps. Adams, Berns, Goldberg, Mays, and Patterson. Excused were Vice Chair Fedeli and Reps. Jean-Louis and Pavia. Also present were Reps. Camporeale, Miller, Morson, and Weinberg; Lou DeRubeis, Director of Public Safety, Health, & Welfare; Michael Toma, Law Department; Chad Armstrong, Robert Martino, Christopher Repp, and Brendan O'Reilly, Fire Marshal's Office; and members of the public.

Chair Figueroa called the meeting to order at 6:31 p.m.

Item No.	Description	Committee Action
1. P31.054	ORDINANCE <u>for public hearing and final adoption</u> ; Designating the position of Fire Marshal as Unclassified 3/11/2024 – Submitted by Mike Toma 03/18/24 – Approved by Committee 5-0-2	Recommended to Steering 4-2-0

Chair Figueroa opened the public hearing.

Kieran Edmondson spoke in favor of approving this ordinance.

Acting Fire Marshal Armstrong discussed the Fire Marshal's office. They are at this meeting to help the Committee make an informed decision. There is a lot of talent in the Fire Marshal's office. It is very busy with day to day code enforcements, inspections, occupancies, fire prevention, and education. Stamford's population is growing and their office is doing a very good job.

Assistant Fire Marshal Martino explained that this is not a new position but it is being removed from the union. There is a lot of talent and experience in the office. There are significant consequences in declassifying this position.

Attorney Toma, Director DeRubeis, members of the Fire Marshal's office, and the Committee discussed this item. Some points discussed:

Regardless of where a candidate comes from they have to be certified in Connecticut.

The 12 members of the Fire Marshal's office were voted down by the majority of the union with this issue.

Attorney Toma explained the BOR has approved the collective bargaining agreement. The reason this is in front of BOR now is because the Charter states that in order to designate a position as unclassified, it needs to be done by ordinance. This ordinance is not to create a new position, but to designate an existing position as unclassified. Classified positions are subject to the City's classified service rules which dictate how a position can be filled. Unclassified positions allow for more flexibility in filling the position. If the ordinance is not passed, then it remains a classified position, subject to classified service rules, which is a much more restrictive set of rules in which to fill a position.

Rep. Sherwood questioned why, after so many years of promoting from within, there is now going to be external candidates allowed? This ordinance would disincentivize an internal candidate from wanting to apply for the position. If there is a qualified person in the Fire Marshal's office who wants to apply, they would have to be willing to retire from their position to take this new position. There could be an employee who has been with the Fire Department for many years who would like this position but is not ready to retire. It would be better for the City to have someone who has been with the department for many years and knows Stamford well to be promoted to this position, rather than someone from the outside who does not know the area.

Rep. Weinberg stated this is about balancing two issues: expanding the recruiting pool and risking that some internal candidates might be less inclined to apply since it would require leaving the union.

Chair Figueroa asked why are we expanding the pool to include external candidates when the City already has well qualified internal candidates? This would be an additional cost to the taxpayers. It is unfortunate that members of the Fire Marshal's office were not in favor of this but were voted down by a majority of the union. It is troublesome that their rights were basically taken away. In order to give something up, unions usually get something in return.

Attorney Toma and Director DeRubeis were not involved in the fire contract negotiations and that is something that Human Resources would have to address.

Director DeRubeis stated that Stamford has a very talented pool of fire marshals. This ordinance does not change the opportunities for internal candidates, it just expands the pool to external candidates as well. The position was taken out of the union as part of the collective bargaining agreement between the City and the union. The Administration and Human Resources have been trying to move forward to fill this position since it was vacated last summer. Part of that process requires moving forward with this ordinance. This allows for due diligence to find the best qualified candidates for the City, now and in the future.

Rep. Mays stated the union has voted this position out of the union. The Personnel Commission has put it in the pay plan. It is hard to argue against the best practice of expanding the pool of candidates. There is nothing disincentivizing about allowing external candidates. Most cities prefer to go with the internal candidates anyway.

Mr. O'Reilly clarified that the union lost one position and gained seven positions. The concern is about what happens with the next contract. Perhaps some of those new positions will be lost. The union has over 260 firefighters but only 12 of those are in the Fire Marshal's office, so they will always be voted down on any topic that suits the firefighters better.

Mr. Martino clarified that the way the State statute reads there can be no expiration date of the contract. The position will be held until the person leaves, dies, or is removed for cause.

Chair Figueroa stated that after such a long discussion there are still many unanswered questions, most of which Human Resources needs to address, and this item should be sent back to Steering.

Rep. Adams and Rep. Sherwood thanked the members of the Fire Marshal's office for speaking tonight.

Chair Figueroa thanked the Fire Marshal's office for the courage to speak out about this item. It is difficult with only 12 members in the department their voice is always outnumbered by the majority in the union.

A motion to recommit this item to Steering was made, seconded, and approved by a vote of 4-2-0 (Reps. Figueora, Adams, Berns, and Patterson in favor; Reps. Goldberg and Mays opposed).

Chair Figueroa closed the public hearing and adjourned the meeting at 9:11 p.m.

Respectfully submitted,
Anabel Figueroa, Chair

This meeting is on [video](#)