

SPRING HILL FIRE RESCUE  
Commission Meeting  
June 23, 2004  
7:00 p.m.

**Present:** Chairman Hollander, Commissioner Panozzo, Commissioner Martin,  
Commissioner Marasciullo, Commissioner Jacobs, Chief Morrison,  
Assistant Chief Davies, Attorney Iurato

**Excused:** Attorney Salzman, Dr. Blackburn

**Call to Order**

Chairman Hollander called the Commission Meeting to order at 7:00 p.m.

**Invocation**

Rev. Clemons gave the invocation.

**Pledge of Allegiance**

Chairman Hollander led the Pledge of Allegiance.

**Presentation to Michelle Bennett**

Chief Morrison stated that Michelle Bennett was not present, therefore, this item needs to be put on hold until the Board's next Regular meeting.

Chairman Hollander stated that he needs a motion to postpone this item indefinitely.

**Motion**

*Commissioner Panozzo made a Motion to postpone the Presentation to Michele Bennett indefinitely.*

*Commissioner Marasciullo seconded the Motion*

*The Motion carried unanimously (5-0)*

**Consent Agenda**

Chairman Hollander asked if there were any questions regarding the Consent Agenda.

### **Motion**

*Commissioner Martin made a Motion to accept the Consent Agenda.*

*Commissioner Jacobs seconded the Motion*

*The Motion carried unanimously (5-0).*

### **Medical Director's Report**

Dr. Blackburn was not present.

### **Report of Counsel**

Counsel had no report.

Commissioner Martin asked where was Attorney Salzman this evening?

Attorney Iurato stated that Attorney Salzman had a conflict in his schedule and advised Chief Morrison a few days ago.

Commissioner Martin stated that at the last Workshop he specifically requested that Attorney Salzman be present at this meeting. This was the first time he heard that Attorney Salzman would not be attending the meeting because of a conflict.

Attorney Iurato stated that she did make Attorney Salzman aware of the special request, but he was unavailable to attend the meeting. This issue can be Tabled for when Attorney Salzman would be available, but he would need a motion to Table.

Commissioner Martin stated that his understanding was when the Board hired Attorney Salzman, his presents at the Board meetings would take priority. It seems that they are splitting him 50-50. It's not just the Workshops he was not present for, now it's the Commission Meetings. This did not sit well with him and he would have liked to have known in advance if there was a conflict. Apparently, the Department was notified several days in advance.

Attorney Iurato stated that the retention of the law firm was fairly clear. When Attorney Salzman is not available, he can have an attorney from the law firm attend the meeting. If Commissioner Martin would

like to discuss the provisions of the contract that the District has signed with the law firm, this can be done by putting the item on the agenda for discussion.

Commissioner Martin stated that he was sure Attorney Salzman discussed this issue with Attorney Iurato, but he will contact Attorney Salzman to reschedule.

### **Report from Training Officer**

There was no report.

### **Chief's Report**

#### **A. Trade-In offer for Engine-5**

Chief Morrison stated that there was a trade-in stipulation in the current contract for the new fire engine. The vendor offered them \$22,500 for engine-5, but they were not happy with that figure. The Board entered into an agreement, whereas, they would get offers for the engine and anywhere up to \$30,000 would go to the Department and anything more than \$30,000 would be split 50/50 with the Department and the Ten-8 vendor. The Department received an offer for \$34,500, which is a good offer.

The Board gave consensus to accept the offer of \$34,500.

#### **B. ClinCon**

Chief Morrison stated that the Board received a copy of the Conferences for ClinCon. This is the largest EMS conference in the State. The conferences will be July 10-13 in Orlando, which is in conjunction with the State EMS Advisory Committee. Therefore, he will be attending those meetings. The Bill Shearer International ALS/BLS competition will be held there. The Department will be sending their ALS competition team. Last year, for the first time, the Department had 4-employees in the competition and did not finish in last place. Last month the Department sent those employees to the University of Miami to get ready for the competition. The big thing was for those employees to bring back to the Department the knowledge they learned there.

#### **C. Insurance Committee**

Chief Morrison stated that the Department will be receiving a rate quote from their insurance carrier. The insurance committee was looking for a Board representative to replace Commissioner Hamilton.

Chairman Hollander stated that he believes Commissioner Hamilton was very well versed in insurance and that's why the Board requested him to participate on the insurance committee. If nobody on the

Board wants to participate, then the committee will have to be formed without a Board member.

### **Unfinished Business**

Chief Morrison stated that before they move forward he has an item to bring to the Board's attention. There is an ongoing dilemma with the re roofing of station-4. It's the issue of the overhang and the hurricane straps. An engineer checked out the trusses to make sure they were fine. The County Permit Department has finally put their stamp of approval on the new roof. There is an additional cost of \$6,211 from Alan's Roofing Company to install the new hurricane straps on the roof according to standards.

### **Motion**

*Commissioner Jacobs made a Motion to accept Staff's recommendation on having the roof fixed at station-4.*

*Commissioner Panozzo seconded the Motion.*

Commissioner Marasciullo asked who approved the original trusses that are on station-4?

Chief Morrison stated that the trusses were originally designed with an over hang, but the project was then value engineered to reduce the over all cost. The Board at that time was told they could save \$3,000 buy omitting the overhang.

Commissioner Marasciullo stated that they are spending \$7,000 more because the previous Board wanted to save \$3,000.

*The Motion carried unanimously (5-0).*

#### **A. Update on Fuel Cost - Fire Police**

Chief Morrison stated that they are still working with the County for the best way to reimburse the Fire Police. As soon as he receives the information he will bring the information back to the Board.

#### **B. Assistant Chief's Evaluation**

Chief Morrison stated that his and the Assistant Chief's schedules have been conflicting for the last week. Therefore, he was unable to go over the evaluation with the Assistant Chief. He will have this

item on the agenda for the next Workshop.

**C. Vote on Budget**

**Motion**

*Commissioner Panozzo made a Motion to accept the Budget that was discussed at the Workshop.*

*Commissioner Panozzo seconded the Motion.*

*The Motion carried unanimously (4-1).*

Commissioner Martin opposed the Motion.

**D. Discussion on Chief's Contract - College Degree**

**Motion**

Commissioner Martin made a Motion to postpone Item-10 D for discussion at the July 14 Workshop so that Attorney Salzman can be present.

The Motion did not carry.

Commissioner Martin stated that a copy of the Standard Operating Procedures, Section-A was supposed to go along with the Fire Chief's contract, but was not attached. He asked if he could have a copy of it for the meeting?

Chief Morrison stated that the Standard Operating Procedures is something for an Operational level.

Commissioner Martin stated that when the Fire Chief's position was available the Department ran an ad to solicit for applicants with the requirements for the job. In the past, the Department advertised for specific jobs and the individuals who applied for those jobs fell short of the requirements and was not considered for the job. He read the Policy/Procedures manual, for the Job Description of a Fire Chief (copy attached). As Commissioner Panozzo stated at the previous Workshop, "if it's not in writing it doesn't exist." The employment contract for the Fire Chief states that the Fire Chief "shall" abide by the Job Description. At the January 15, 2002 Workshop, Commissioner Andrews asked if the then Interim Chief Morrison, had a Bachelors Degree as called for in the job qualification? At that time, Chief Morrison stated that he did not have his Bachelors Degree, but was working toward his degree

and was approximately one-year away. At that time, Chairman Kanner suggested that the Chief take 2-years before he went back to school.

Chairman Hollander asked if there was a stipulation anywhere that the Chief's employment was contingent upon him getting his Bachelors Degree at a specific time? Was there a vote?

Commissioner Jacobs stated that when the job description for Fire Chief was just read, line-8 was left out and he felt it was an important line. "Whereas, the Fire Chief shall abide by the Job Description outlined in the Standard Operating Procedures "A" or as modified by the Board with input and agreement from the Fire Chief". The minute the Board hired the Chief, knowing he didn't have a Bachelors Degree at the time, the Board made a modification to the contract.

Chairman Hollander stated that the Chief didn't have a contract at the time, the contract came afterwards. He knows Chairman Kanner was a very careful person when it came to contracts and if there was a definite time that the Chief's degree had to be completed, or if Attorney Salzman felt that the Board wanted the Chief to have his degree by a certain time, it would have been in the contract. At that time, the Board agreed that they wanted the Chief to get his degree, but Chairman Kanner said it himself, "when the Department is at an even keel." He thinks since that time the Department hasn't been on an even keel. He then asked the Chief if he wanted to get his Bachelors Degree?

Chief Morrison said yes.

Commissioner Martin asked Chief Morrison if he has been able to return to college since he accepted the job?

Chief Morrison said yes.

Commissioner Martin asked how close was he to achieving his Bachelors Degree?

Chief Morrison stated that he is about one-year away.

Commissioner Martin asked where did the Board say they were making an exception to the policy on behalf of the Chief?

Attorney Iurato stated that in paragraph-8 as well as paragraph-20 of the Chief's contract.

Commissioner Martin stated "wouldn't it be nice if Attorney Salzman was at the meeting since he was the one who drew up the contract and this issue could have been discussed with him." The reason why he was pushing forward with this issue was because the Department spends a lot of money for legal representation and has heard that the Board pays for the legal advice and should accept Counsel's advice. He was trying to get advice from the person who drafted the contract, but he was not present.

The 4-page contract states that the Fire Chief shall abide by the “Job Description” and the reason he was questioning this was because he knows there have been firefighters who have been terminated for not having the appropriate certification, degrees or prerequisite. Those firefighters could have been kept on board as they were nearing the time of securing those documents.

Attorney Iurato stated that she did not know what the circumstances were with respect to the individuals who were terminated, nor did she know if they were subject to an Employment Agreement in which the Chief is subject to. She agreed with Commissioner Jacobs regarding section-8 of the Agreement, which clearly indicated “or as modified by the Board.”

Commissioner Jacobs asked what difference does it make whether it’s Attorney Salzman or Attorney Iurato speaking? Attorney Salzman gave Attorney Iurato his opinion on the Chief’s Contract and she is speaking for him.

Commissioner Martin asked where was the print copy of the modification to the Chief’s contract? Commissioner Jacobs stated that the Job Description stipulated that the Chief would have a Bachelors Degree when hired, but by the fact that the Board hired the Chief without his Bachelors Degree, which was not stated in his contract, whereas, he would get his Bachelors Degree by a certain time, the Board modified the contract at that point.

Attorney Iurato agreed.

Commissioner Martin stated that the contract probably wasn’t properly reviewed for its content.

Chairman Hollander stated that he feels the contract was very useful because it defined the Board’s expectation.

Commissioner Jacobs stated that the contract is valid, it’s complete and has been fulfilled. If there was anything pending that they wanted the Chief to do, it would have been a Contingent Contract. The point being, if it were detrimental for the Chief to have a college degree to perform his job, by now it would have shown up. Therefore, since it hasn’t shown up to be a detriment to the performance of his job, then obviously, it wasn’t a valid requirement.

Commissioner Martin stated that as far as he was concerned, the contract was a serious oversight. This is a learning experience and in the future they need to look at the contracts with greater detail.

Attorney Iurato stated that when she discussed this issue with Attorney Salzman, he did not see it as an oversight nor had any mistakes. No matter how contracts are drafted or what the intent is, contracts are always going to be subject to interpretation.

Chairman Hollander stated that the Chief’s contract can be open and be part of the negotiation on a

new contract with the Chief. He would prefer not to do that, but that is a remedy.

The Board further discussed the Chief's contract.

### **Motion**

Commissioner Martin made a Motion to revisit the contract and to discuss it with Chief Morrison in order for him to provide input and put a realistic date for his Bachelors Degree.

Chairman Hollander asked if Commissioner Martin wanted to open up the Chief's contract?

Commissioner Martin said yes.

Chairman Hollander stated that Commissioner Martin made a motion to reopen the Chief's contract with that being part of the contract negotiation.

Commissioner Martin said yes. Is it going to be reopened for one issue specifically?

Chairman Hollander stated that he doesn't think that they can legally do that.

Attorney Iurato stated that the contract would have to be open entirely.

Commissioner Martin stated that he would like his motion to be disregarded.

### **New Business**

There was nothing for New Business

### **Comments of Commission**

Chairman Hollander had no comment.

Commissioner Panozzo stated that he wanted to know why a No vote was cast on the Budget.

Commissioner Martin stated that the Board did not get the information from the Property Appraiser office and the Board is going to be spending some time at the next Workshop on Capital Purchases. His understanding was that this was something that was going to be delayed, however, he misunderstood what was discussed and voted No.

Commissioner Marasciullo had no comment.

Commissioner Jacobs had no comment.

Commissioner Martin stated that he would like to congratulate the ALS ClinCon Team for their rating in their competition and wished them continued success.

### **Open Forum**

George Biro, Spring Hill resident stated that Chief Morrison has a 2-year degree. He thanked the Board for finally putting this issue to bed. It seems like there is one person on the Board who is always things up to try and push this Department backwards. Maybe this person has another agenda with the Department, rather than trying to move the Department forward.

Dave Raburn, Spring Hill resident stated that as a concerned citizen, he was wondering how all this came about?

Chairman Hollander stated that during Open Forum the Board cannot answer questions, however, the Chief can answer any questions after the meeting.

Dave Raburn stated that he was just wondering if there was a vote for No Confidence in the Chief that brought this issue up. He wasn't sure if the Board was trying to get rid of the Chief or Counsel. It seemed that someone was attacking the credibility of Counsel. If that's the case, are they wasting money on Counsel? If that's so, then that is something they need to take a look at.

Everett Lindros, Spring Hill resident asked Commissioner Martin if he was ever a firefighter?

Chairman Hollander stated that the Board cannot answer any questions.

Everett Lindros stated that he was wondering why an Engine and Rescue Unit respond to emergency calls because that costs a lot of money to do. The Board and the Chief should consider a modular-ambulance because that would be less expensive. The Tampa Fire Department discontinued running a pumper and ambulance to calls, but they now use a suburban. He saw an engine at Publix unattended. If the Department used a suburban or a van, it would only require one person to pick up food for the station. When there is talk about coverage, he gets very touchy when it comes to the coverage in Spring Hill. There is no ladder truck in the area. The only station that is close by with a ladder truck is Brooksville and Port Richey. He read some of the newspaper articles about the milage recovery and the scenario from other departments, it was very interesting, however, it really scares him if they ever had a major catastrophe in Spring Hill.

Bob Stucchio, Spring Hill resident stated that he has been service by the Spring Hill Fire Rescue Department and wanted to thank the firefighters.

Chairman Hollander asked the Chief if he could answer any of the questions that were posed during Open Forum?

Chief Morrison stated that Mr. Lindros brought up a few questions and invited Mr. Landros to come into the office to discuss some of his concerns.

The Board discussed why an engine and rescue units go on calls together.

Commissioner Martin stated to answer the question if he was ever a firefighter. In Georgia he was a State Rescue Specialist. He was certified by the State of Georgia. As part of his job description in the army, he is a firefighter in a Marine environment.

Chief Morrison stated that when the stations do a food run they are required to have a person stay with the truck at all times. If anyone sees one of their fire trucks unattended in a parking lot and not working a call, he would like to know about it. He disagrees with some of the things that are being done in Hillsboro County and he never wants to see Spring Hill Fire Rescue get to that type of level of service. Pinellas County has a three-tier system, whereas, a fire truck, ambulance and a private service ambulance arrive on a call. He doesn't know how the taxpayers can afford that many vehicles on one call.

Commissioner Panozzo stated that he has used the Spring Hill Fire Rescue service on three different occasions and they were nothing but professional. Whenever he has seen an engine at a Publix supermarket, it was never unattended.

Commissioner Jacobs stated that he use to wonder why an engine and rescue unit would go out on a call together. Being a Commissioner has allowed him to go on emergency calls, whereas, there were 5- firefighters on a call and he has yet to say it was wasted personnel. Their rescue units are ALS vehicles and can transport the patient to the hospital. Therefore, Spring Hill Fire Rescue is well covered and when anyone calls for their service they can be sure they are getting the best service Spring Hill Fire Rescue can offer.

### **Motion**

***Commissioner Panozzo made a Motion to adjourn the Commission Meeting.***

***Commissioner Jacobs seconded the Motion.***

***The Motion carried unanimously (5-0).***

Chairman Hollander adjourned the commission Meeting at 8:20

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Jeff Hollander, Chairman

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Joan E. Chiofalo, Board Secretary