

November 19, 2009

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:30 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Ernesto A. Baca
Kathryn A. Hein
Sarah W. Morgan

ABSENT: Commissioners: Carolina M. Stark (Excused)
Paoi X. Lor (Excused)

ALSO PRESENT: Douglas Holton, Chief, Milwaukee Fire Department; and Gary Gacek, Captain of Police, representing the Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of November 5, 2009. Commissioner Hein moved approval of the minutes, seconded by Commissioner Morgan. The motion carried unanimously.

1. NEW BUSINESS:

a) The Director presented a Resolution commending Fire Chief Douglas Holton for his service. The Chair read the resolution into the record. Chief Holton thanked his wife for her support and his staff for their proactive attitude. He also thanked the Board for the opportunity to serve as Fire Chief of the Milwaukee Fire Department, and expressed his gratitude to the City of Milwaukee. The Director thanked Chief Holton for a great working relationship, his service to the City, and his swift response to resolving issues in the department. He also commended him on his initiatives in fire service, operational aspects of the department, and strong leadership.

b) The Director presented information regarding the Wills for Heroes program. The program is a partnership with the State Bar of Wisconsin and the local law firm of Foley & Lardner LLP. The program is a pro bono service where lawyers provide their time and services to provide estate planning documents to first responders, including police, fire, and EMS personnel. The Fire and Police Commission, Fire Department, and Police Department will be participating in the pilot program on December 5, 2009 at the Safety Academy. When the program is finalized, it will be opened up statewide for all first responders and their families to receive free estate planning services.

c) The Director presented a letter dated November 9, 2009, from Police Officer Paul Marchese who requests a temporary exemption of the City residency requirement. Officer Marchese was present. Officer Marchese was recently married and sold his home in Milwaukee. He will be living with his wife at her home in Muskego, until his home in Milwaukee is built or her home in Muskego is sold. It was determined that Officer Marchese may return to the Board in six months, on May 6, 2010 to update them on his progress if his house is not finished by then. Commissioner Baca moved approval of a six month exemption to the residency rule, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented a letter dated October 27, 2009, from Milwaukee Police Association President John Balcerzak who requests reinstatement to his former position of Police Officer, effective January 1, 2010. Commissioner Baca moved approval, seconded by Commissioner Hein. The motion carried unanimously.

The Director presented a letter dated November 4, 2009, from Milwaukee Police Association Vice President Thomas Fischer who requests reinstatement to his former position of Detective, effective January 1, 2010. Commissioner Hein moved approval, seconded by Commissioner Morgan. The motion carried unanimously.

2. EXAMINATIONS:

a) The Director presented a request from staff to amend the Firefighter Eligible List, adding Nicholas Stanley to rank 39A. Mr. Stanley was on military leave and has returned from duty. His name will be added in accordance with the Uniformed Services Employment and Reemployment Rights Act. Commissioner Baca moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

3. FIRE DEPARTMENT:

a) The following promotion, as presented by Chief Douglas Holton, was approved by the Board:

TO FIRE EQUIPMENT REPAIRER II, from Fire Equipment Repairer I, effective November 29, 2009:

ROBERT A. GERBOTH.

b) The Director presented a letter dated November 11, 2009, from Chief Holton, wherein he requests the following appointments be rescinded because the candidates either withdrew or did not qualify: #39 – Jerry G. Rubio; #52 – David F. Maier; #57 – William C. Hanney; and #58 – Brandon D. Hageman. Commissioner Baca moved to rescind the appointments, seconded by Commissioner Morgan. The motion carried unanimously.

c) The Director presented a letter dated November 11, 2009, from Chief Holton, wherein he notifies the Board that the following contingency appointments have been utilized for the Firefighter recruit class which started November 2, 2009: #73 – Christos D. Gerasopoulos; #74 – Robert J. Vester; #75 – Matthew B. Byrge; and #80 – Adam J. Rosploch.

d) The Director presented a letter dated November 17, 2009, from Chief Holton, wherein he requests that Assistant Chief Michael L. Jones serve as Acting Fire Chief for more than 30 days, effective December 1, 2009. Commissioner Hein moved approval, seconded by Commissioner Baca. The motion carried unanimously.

e) The Director presented a letter dated November 17, 2008, from Chief Holton, wherein he requests that Deputy Chief Debra A. Weber serve as Acting Assistant Fire Chief for more than 30 days, effective December 1, 2009. Commissioner Hein moved approval, seconded by Commissioner Morgan. The motion carried unanimously.

4. POLICE DEPARTMENT:

a) The Director presented a letter dated November 11, 2009 from Chief Edward Flynn, wherein he notifies the Board that Police Officer William Morales has been granted a one year extension to his leave of absence for the purpose of continuing to fill the appointed position of Regional Coordinator with the Office of Violence Protection, Mayors Against Illegal Guns, for the City of Milwaukee. The leave shall expire November 16, 2010, and may be renewed upon request.

b) The Director presented a letter dated November 4, 2009, from Chief Flynn, wherein he requests that the probationary period of Police Officer Margaret J. Kiefer be extended for a period of four months, until April 17, 2010 due to an on-duty injury. Commissioner Hein moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

c) The Director presented a letter dated November 12, 2009, from Chief Flynn, wherein he requests Milwaukee Police Department Rules 3 and 8 be rescinded, and Standard Operating Procedures 005 – Responsibility of Command and 015 – Membership in Authorized Organizations, be established.

The Director stated he does not see any restrictions or conflicts with the Board's authority if the proposed changes are made. The changes remove Rules 3 and 8 and change them verbatim into a standard operating procedure, since are more applicable as procedures than rules. The Chair laid the request over to the next meeting.

5. PUBLIC COMMENT:

John Balcerzak, President of the Milwaukee Police Association, thanked the Board for working with him during his tenure as President, and also for working for the citizens and the police officers of Milwaukee.

6. ADJOURNMENT:

Commissioner Morgan moved to adjourn the meeting, seconded by Commissioner Hein. The motion carried unanimously.

The meeting concluded at 5:47 P.M.

Respectfully submitted,

Michael G. Tobin
Executive Director

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