TOWN OF BOULDER JUNCTION
Special Town Board Meeting & BJVFD Disciplinary Review Board Meeting
Minutes of September 1, 2010

1) Call to Order – at approximately 7:33 p.m. Present: Chairman Long, Supervisors Schuenemann and Spencer, Clerk/Treasurer Howard, BJVFD Assistant Chief Fragrassi and BJVFD Member At-Large Whitman, Town Attorney Jack O'Brien.

2) Recognition of Visitors – A few dozen people attended the meeting.

3) Approval of Agenda - MOTION: SCHUENEMANN: SECOND: SPENCER: To approve the agenda as presented. All ayes. MOTION CARRIED.

4) Appointments to Disciplinary Review Board – Tom Whitman, BJVFD Member At-Large, stated that as a witness to the incidents he asked to step down from the Disciplinary Review Board. It was the consensus of the Board to accept his resignation. MOTION: LONG: SECOND: SPENCER: To appoint Paul Newberg to the BJVFD Disciplinary Review Board. All ayes. MOTION CARRIED.

5) Disciplinary Review Board Hearing – Town Attorney Jack O'Brien outlined the procedures for the hearing, as follows: The Fire Chief will give his testimony and present witnesses. The Board and the employee can ask questions of the witnesses. The employee will give his testimony and present witnesses. The Board and the Fire Chief can ask questions of the witnesses. Then the hearing will be concluded and the Board will deliberate to sustain, reverse, or modify the suspension. All persons testifying shall be under oath at this hearing.

   Public Comment – Mr. Ken Ehle asked what Statutes authorize the procedures for the hearing. Mr. O'Brien responded that there are no statutory procedures.

   Employee – The suspended employee stated that after review from legal counsel he would be representing himself "pro-se". He asked for the hearing to be held in Closed Session.

6) Closed Session
   MOTION: LONG: SECOND: SPENCER: To convene into Closed Session pursuant to the following: ***Wis. Stats. Sec. 19.85(1)(b):*** Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held. ROLL CALL VOTE: All ayes. MOTION CARRIED.

7) Reconvene into Open Session
MOTION: LONG: SECOND: SCHUENEMANN: To reconvene in Open Session at 9:16 PM. ROLL CALL VOTE: All ayes. MOTION CARRIED.

8) Action from Disciplinary Review Board Hearing
Clerk /Treasurer Howard read aloud the proposed action to be considered by the Town Board and the BJVFD Disciplinary Review Board in open session. MOTION: SPENCER: SECOND: SCHUENEMANN: To reverse the suspension but the employee will receive a written reprimand which shall be removed from his file in one year without further incidents. ROLL CALL VOTE: All ayes. MOTION CARRIED.

9) Adjourn - MOTION: LONG: SECOND: SPENCER: To adjourn the meeting at approximately 9:18 p.m. All ayes. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Howard
Clerk/Treasurer