

PROCEEDINGS OF THE CITY OF NEW BERLIN  
Police and Fire Commission Meeting  
Thursday, September 9, 2010

*Prior to the meeting, Commissioner Piontek read a legal memorandum provided to the PFC by City Attorney Mark Blum. The memo provided that Dave Patzer and Renee Lorbiecki were seated on the PFC by operation of law by virtue of enactment of 2010 Act 173. City Attorney Mark Blum had attempted to contact Ms. Lorbiecki and left a phone message for her regarding the above earlier in the day as well as an additional call made at 4:45p.m. but received no return call.*

**CALL MEETING TO ORDER; ROLL CALL; PUBLIC NOTICE**

Commissioner O'Donnell resigned as a member earlier that day therefore Commissioner Piontek chaired the meeting by agreement. The meeting was called to order by Commissioner Richard Piontek at 4:34p.m. Present were Commissioners Pezze and Patzer and City Attorney Mark Blum.

**APPROVAL OF MINUTES**

Motion by Commissioner Pezze to approve the minutes. Seconded by Commissioner Piontek and carried with Commissioner Patzer abstaining.

**COMMUNICATIONS**

- September 9, 2010 – Attorney Blum's Legal Memorandum
- September 9, 2010 – Mike O'Donnell's Resignation Letter
- September 3, 2010 – Attorney Blum's Legal Opinion Letter
- September 1, 2010 – Attorney Gatzke's Letter to the PFC

**Police and Fire Commissioner Acting President Piontek read the following:  
CLOSED SESSION PER ROLL CALL VOTE**

To deliberate in Closed Session under Section 19.85(1)(c) of the Wisconsin State Statutes:

- (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically the items following on this agenda:

**FIRE DEPARTMENT**

Screening and Review of applications for the position of fire chief

- (g) Conferring with legal Counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically membership of the Police & Fire Commission and James Gatzke correspondence of September 1, 2010

Motion by Commissioner Pezze to move to closed session. Seconded by Commissioner Patzer and carried unanimously at 4:42p.m.

**RECONVENE TO OPEN SESSION**

Motion by Commissioner Patzer to reconvene to open session at 9:01pm. Seconded by Commissioner Piontek and carried unanimously.

**NEXT MEETING**

The next meeting date will be September 16, 2010 at 7:00p.m. at City Hall in the A/B Conference Room.

**ADJOURN**

Motion by Commissioner Patzer to adjourn at 9:04pm. Seconded by Commissioner Piontek and carried unanimously.