

## News

# Expelled Sag Harbor Firefighter Challenges Dismissal

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By Colleen Reynolds Sep 5, 2012 10:00 AM

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An ousted Sag Harbor firefighter and current village employee has filed a notice of claim against the village and the Sag Harbor Fire Department, claiming he was improperly kicked off the department's rolls.

According to a copy of the notice of claim, dated July 18, Scott Ficorilli's attorney, Thomas W. Horn of Noyac, argues that the Sag Harbor Fire Department's Board of Wardens did not follow its constitution and bylaws when it voted unanimously, within nine minutes, to expel Mr. Ficorilli on

April 19, and therefore denied him of due process.

Details on the circumstances of Mr. Ficorilli's expulsion remain murky, but according to Bruce Stafford, the village's fire commissioner at the time, Mr. Ficorilli, who also works for the Village Highway Department, was accused of mishandling a department pager in April. A Village Police detective traced the missing pager to the Village Highway Barn, where it was not supposed to be.

Village Police were called and investigated the matter, and Mr. Ficorilli returned the pager some days later, Mr. Stafford said. He said he did not know the outcome of the police investigation.

A Freedom of Information Law request seeking reports involving Mr. Ficorilli or the fire department for the past year was denied by Police Chief Thomas Fabiano, because of an "ongoing open investigation."

Chief Fabiano did not return a request for comment.

"There's a lot to this story that doesn't meet the eye, but all I'm going to say is, simply, the Board of Wardens did not follow the bylaws," Mr. Stafford said, adding that, the appropriate punishment for Mr. Ficorilli's charge was spelled out as a suspension lasting either 30, 60, or 90 days, not expulsion. The specific charge was not available.

"There's no winners in this," he said. "I'm sad to see it go this far. We're all grown men, but we're not."

Fire Chief Pete Garypie said he could not comment. He did say criminal charges were not involved.

Mr. Horn said he hopes to reach an agreement quickly with the village and the department that would, at a minimum, reinstate his client to the fire department. He said he is less confident than he was a few weeks ago, however, that that will happen, saying that August vacations have seemingly slowed the process. He declined, however, to go on record with details of the circumstances surrounding the expulsion. He maintained that his client did nothing wrong.