Payments to ex-chief irk board

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WINSTED – The Board of Selectmen agreed in closed session last night to seek a second doctor's opinion on a former police chief's heart problems.

Retired chief Jerold E. Silverio is seeking a $21,000 settlement from the town for scars he received during heart bypass surgery last year.

Under the state's heart and hypertension laws, Silverio is entitled to a "scarring award" for scars on his chest and leg resulting from the surgery.

Several citizens spoke out against awarding the funds to Silverio, a 27-year veteran of the department who was forced to retire as chief in July 1992 because of his medical problems.

Currently the town pays Silverio $577 a week, or $30,080 a year, in disability for his heart condition.

The payments will be made for almost 10 years. In addition to that, Silverio receives a pension through the state of Connecticut that amounts to more than half of the average of his last three years' pay in the department. When he retired as chief Silverio was earning $44,940 annually.

Under the heart and hypertension laws, municipalities automatically paid medical disability benefits to paid, full-time police officers and firefighters who developed heart problems under the assumption the heart problem was related to stress on the job. The law was reformed last year to allow municipalities to challenge whether the heart problems are job related for officers hired after July 1, 1992.

Under the law, an officer receives a loss of function payment, and also a scarring award.

"I find it hard to believe we have to pay somebody for scars (received) during a life saving process," Selectman Brian W. Sullivan said.

A few residents expressed anger that officers would be awarded money for not taking care of their health, and that townspeople will pick up the tab.

What eventually may happen is the town could have one paid working department, and one that is "living off the town," former Mayor Nancy Eisenlohr said.

"They're making it my business now if they're trying to get disability for their bad habits," she said.

Community Lawyer Charlene LaVoie urged selectmen to take a stand against the heart and hypertension laws, and send a message to the state that it will not pay. For small towns like Winsted, such large payments are onerous.

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Heart problems stress out board

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"For townspeople to pay this much for people abusing their own bodies, it's just outrageous," she said.

In addition to Silverio, the town is paying former officer George Corso $36,049 annually for heart problems, Mayor John F. Gauger Jr. said. The widow of officer Robert Moulthrop is receiving $22,272 a year. If an officer dies, the widow receives the disability benefit.

All told, the town pays $83,412 for those three officers, Gauger said, in addition to medical benefits. "So you're rapidly closing in on $100,000," he said. "It is a substantial piece of the budget."

Sullivan said outside the meeting the board will seek a second opinion about Silverio's loss of function. He said the board members, in closed session, were not happy with Silverio's doctor's assessment of loss of function. The heart and hypertension settlement is based on a formula related to loss of function.

"The fact is, we're going to pay," Sullivan said.