



ASSOCIATION OF
FIRE DISTRICTS
* * CAPITAL AREA * *

THE CAPITAL BULLETIN

FIRE DISTRICT NEWS

NOVEMBER 5TH, 2022

EDITOR - TOM RINALDI

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*If nothing else read the articles preceded by ***

CAPITAL CALENDAR:

WWW.AFDCA.ORG

Meetings will take place on Thursday evenings 7pm, Food will be provided at the Clifton Park Fire Station, dinning will begin at 6:15PM to be finished prior to meeting.

HYBRID ZOOM MEETINGS

[Still working out some sound issues but overall working well.](#)

November 10th

General Membership Meeting/2023 Elections

November 12th

Capital Area Annual Workshop at Westmere Fire District

2023 CAPITAL AREA MEETING & TRAINING SCHEDULE

Saturday January 7th 9:00am general membership breakfast serviced at 8AM

Thursday February 9th 7:00pm general membership dinner served at 6PM

Thursday March 9th 7:00pm general membership dinner served at 6PM

Thursday April 6th Board of Director's Meeting 7PM

May Meeting of the General Membership To Be Determined

Thursday June 8th Board of Director's Meeting 7PM

Thursday July 13th Board of Director's Meeting 7PM

August, No Meeting

September/October Meeting, General Membership To Be Determined/Nominations

Thursday November 9th, 7:00pm general membership dinner served at 6PM/Elections

December, No Meeting

Saturday, February 11, 2023	8:00 AM	Commissioner Training Averill Park, Rensselaer Co. w/Greg Serio
Saturday, March 4, 2023	8:00 AM	Commissioner Training Clifton Park Saratoga Co. w/Greg Serio
Saturday, March 11, 2023	6:00 PM	Officer Installation Location in Saratoga Springs TBD
Saturday, March 25, 2023	8:00 AM	Commissioner Training Berkshire Fire District Fulton, Co. w/Greg Serio

2023 Membership Activity Options Being Explored

Saturday, November 11, 2023 8:00 AM Fall Workshop Location and Date to be determined

We want to thank the Clifton Park – Halfmoon Fire District for allowing us to use their facility for the Capital Area meetings.

CAPITAL AREA ASSOCIATION NEWS:

WWW.AFDCA.ORG

Welcome to the Fall 2022 Training Workshop – November 12, 2022

Don't Put it Off Register Now

Westmere Fire District, 1741 Western Avenue, Albany, NY 12203

7:00-8:00 Registration & Continental Breakfast

8:00-8:10 Pledge to the Flag & Welcome: Capital Area Association Officers

- 8:10-9:15** **Presentation Topic: Human Resources for the Volunteer Fire Service**
- Description: For any employer, the human resources department plays a vital role in maintaining a healthy and positive work environment. This is true for the volunteer fire service as well! This training will focus on the importance of HR within the volunteer fire department, and what types of challenges you may face, strategies to handle them, and best practices to implement in your department.*
- 9:15-9:30** **Networking Break**
- 9:30-10:15** **Presentation Topic: Fire District Purchasing**
- Description: A representative from the Office of General Services will give an overview of fire district purchasing. This training will cover a wide range of topics and equip commissioners on how to spend taxpayer dollars wisely.*
- 10:15-10:30** **Networking Break**
- 10:30-12:00** **Ask the Experts Panel – NEW AND REFRESHED! We’ve assembled a panel comprised of attorneys, a CPA, a VFBL expert and a general insurance specialist to answer your questions. This is an excellent opportunity to have all your questions answered about a broad range of important topics.**
- 12:00-1:00** **Lunch will be served**
- Did you know that training is an allowable mileage reimbursement expense?**

Everyone is Invited to Attend

Food Sponsors to date: Gentile, Brengel & Lin LLP and NYS Public Entities Safety Group 497, H2M Architects, and the Bank of Greene County

Not limited to Commissioners

Please Reserve your Seat Now – AFDCA Members \$15, Non-Members, \$25

Price includes all seminars, training materials, meals

To save a seat email Tony Hill at caaofd@gmail.com. Provide names, district and contact information.

Meals sponsored by GBL CPA's & Fleury Risk Management VFBL Insurance

REGISTRATION AND AGENDA DOWNLOAD:



**ASSOCIATION OF FIRE DISTRICTS
OF THE
CAPITAL AREA, INC.**

ALBANY, FULTON, MONTGOMERY, RENSSELAER, SARATOGA, SCHENECTADY, WARREN, WASHINGTON
WWW.AFDCA.ORG

INVITATION & REGISTRATION

Fall 2022 Training Workshop on November 12, 2022

Westmere Fire District, 1741 Western Ave, Albany, NY 12203

See attached Schedule of Events for more details!

Per-Attendee Cost is \$15 for Member Districts, \$25 for non-Members

ADVANCE REGISTRATION IS VERY HELPFUL, BUT NOT REQUIRED

Fire District: _____

Membership Status (select one): ___ Member of AFDCA or ___ non-Member of AFDCA

Attendees (include full name and at least one email so we can confirm your registration):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total Number Attending: _____ at \$15 each (member) or \$25 each (non-member)

Payment Option:

- 1) Check enclosed payable to Association of Fire Districts – CA for: \$ _____
- 2) Pay at the Door (check box):

HELP US PLAN - Please Respond by Friday, November 4, 2022

Return to:
Association of Fire Districts - CA
PO Box 242
East Schodack, NY 12063

Or by email to caaofd@gmail.com

The Capital Area Association has voted to amend its By-laws to allow both individual and regional or county Fire District Associations to join. The updated By-laws are posted to the AFDCA.org website. Applications are being updated and will be available shortly. Individual membership fee will be \$50 annually, fire district association fees will be \$300 annually. Download THE APPLICATION HERE: <https://afdca.org/wp-content/uploads/2022/08/2022-Application.doc>

The Capital Area has logo ware for sale, long and short sleeve polo shirts. Contact Secretary/Treasurer Tony Hill to purchase shirts.

Please advise your secretaries that all correspondence go to the Capital Area Association Mailing Address at:
AFDCA PO Box 242 East Schodack, NY 12063
EMAIL: CAAOFD@GMAIL.COM
[518-407-5020](tel:518-407-5020)

If you see ** it indicates a must-read article with educational value or leadership qualities.

CAPITAL SHORTS:

- John Meehan has announced that he will not be a candidate as the Region 1 Director for the State Association. If anyone is interested in being endorsed as the Regional Director please send a letter of intent to the Capital Area Association at caaofd@gmail.com. **A new Director needs to be named by the Capital Area by the end of November.** You must be an active fire district official; commissioner, treasurer or purchasing agent.
- RSVP to Fabian Johnston at fjohnston@qrrstore.com You will need this flyer to gain entry!!



December 19th at
Quick Response.pdf

- **PLEASE TAKE THE TIME TO REGISTER FOR THE NOVEMBER 12TH WORKSHOP, RIGHT NOW!**
- *If you no longer wish to receive the Capital Bulletin you have the option to “unsubscribe” at the bottom of the introductory email.*

TRAINING APPROPRIATE FOR YOUR ENTIRE BOARD/SECRETARY/TREASURER



COFFEE WITH COMMISSIONERS 2022

[2022 Schedule click to register](#)

Saturday, Dec 3 Topics for Annual Organizational Meeting

[Click Here for Previously Recorded Webinars](#)

Duties & Deadlines Secretary Webinar

Duties & Deadlines Secretary Webinar Schedules

Start time 6:00pm

November 22, 2022 - What will we need for the Org. Meeting

December 20, 2022 - Organizing for the New Year

***If you have already registered you DO NOT have to register again, you will automatically received all zoom links.**

REGISTER AT THIS LINK: https://mms.afdsny.org/members/evr/reg_event.php?orgcode=FDNY&evid=32091843

THE LATEST FROM THE NYS LEGISLATURE

From Commissioner Ron Berti, COUNTIES ARE ABLE TO OFFER TAX BREAKS

As you all know I have working for the last 8 months to get the NYS Legislature to pass legislation *allowing counties* to give tax breaks to First Responders.

After the June recess I thought the issue was dead until January when the new session would convene.

However, I made all the material (Draft of proposed legislation, Drafts of County implementation of the proposed legislation and news articles describing the need for assistance by fire companies for aid in recruitment and retention.) to the lobbyists for several of the New York State Fire Service organizations.

Well, it appears the fire service lobbyists continued the fight and the result is the bill now before the Governor for signature **granting all 62 NYS Counties the power to enact legislation** to grant First Responders tax breaks.

As more details become available after Governor Hochul signs the Bill, I will keep you informed.

Copy of the Bill is attached.

My thanks to Commissioner Robert Blauw for bringing the passage of this legislation to my attention. My special thanks to Rensselaer County Executive Steve McLaughlin, Past Rensselaer County Executive Kathy Jimino and retired State Senator Kathy Marchione for their very active support in all phases of this endeavor.

Now we need to encourage the Governor to sign this bill.

LINK TO BILL:

<https://afdca.org/wp-content/uploads/2022/10/BILL-NUMBER-9131-10-2022-3.docx>

The 2022 Legislative Session and Fire Service Bill Status

Bills that didn't gain any traction and were stuck in committee were amendments to the heart and lung bill making them permanent, rather than renewing them every five years or so. Hopefully this effort will be renewed next year.

Several other bills that affect fire service business operations are the following, many have not been signed by the Governor yet, she is probably too busy running for re-election:

- (S7623A) EXTENDS PROVISIONS OF LAW AUTHORIZING POLITICAL SUBDIVISIONS TO PERMIT ANY PUBLIC BODY TO HOLD MEETINGS REMOTELY AND WITHOUT IN-PERSON ACCESS DURING THE COVID-19 STATE DISASTER EMERGENCY, UNTIL THE EMERGENCY IS DECLARED TO BE OVER. **SIGNED BY THE GOVERNOR 1/14/22**
- (S7718) AN ACT TO AMEND A CHAPTER OF THE LAWS OF 2021 ESTABLISHING THE NEW YORK STATE RURAL AMBULANCE SERVICES TASK FORCE IN RELATION TO MODIFYING THE MEMBERSHIP OF THE TASK FORCE. **SIGNED BY THE GOVERNOR 2/24/22**
- (S7144) PROVIDES CRISIS INTERVENTION TEAM TRAINING, MENTAL HEALTH FIRST AID, IMPLICIT BIAS TRAINING AND NALOXONE TRAINING TO FIREFIGHTERS AND EMERGENCY MEDICAL SERVICES PERSONNEL BY THE COMMISSIONER OF MENTAL HEALTH. **SIGNED BY THE GOVERNOR 5/6/22**
- (S9405) THE NYS ENERGY CODE PRODUCT AND APPLIANCE STANDARDS WILL DELIVER A PROJECTED \$15 BILLION OF TOTAL UTILITY BILL SAVINGS (SUPPOSEDLY) BY 2035 FOR NEW YORK CONSUMERS, INCLUDING AN ESTIMATED \$6 BILLION IN TOTAL UTILITY BILL SAVINGS FOR LOW-TO MODERATE-INCOME HOUSEHOLDS. THIS LEGISLATION ALSO PROVIDES DOS WITH ENFORCEMENT AUTHORITY OVER ANY STATE STANDARDS. **SIGNED BY THE GOVERNOR**
- (S3532) AUTHORIZES STATE AND MUNICIPALLY OWNED VEHICLES TO AFFIX GREEN OR ALTERNATING GREEN AND AMBER LIGHTS TO MOTOR VEHICLES ENGAGED IN SNOW AND ICE REMOVAL FOR THE PURPOSE OF INCREASING VISIBILITY DURING WINTER WEATHER EVENTS. **SIGNED BY THE GOVERNOR**
- (S7399A) AN AMENDMENT TO THE GENERAL MUNICIPAL LAW, IN RELATION TO AUTHORIZING A MUNICIPALITY TO INCREASE THE NUMBER OF YEARS OF SERVICE THAT **A VOLUNTEER AMBULANCE SERVICE** PARTICIPANT IN A DEFINED CONTRIBUTION PLAN SERVICE AWARD PROGRAM OR A DEFINED BENEFIT PLAN SERVICE AWARD PROGRAM MAY RECEIVE A CONTRIBUTION. **NOT YET SIGNED [PERTAINS TO AMBULANCE VOLUNTEERS ENROLLED IN A LOSAP PROGRAM NOT FIREFIGHTERS]**
- (S926B) REQUIRES ELECTRIC CORPORATIONS TO PRIORITIZE RESTORING SERVICES TO POLICE DEPARTMENTS, FIRE DEPARTMENTS, AND AMBULANCE SERVICES, WHEN SUCH SERVICES ARE INTERRUPTED. **NOT YET SIGNED**
- (S9131) A BILL TO ALLOW ANY COUNTY TO ADOPT A LOCAL LAW THAT WILL PROVIDE AN EXEMPTION ON REAL PROPERTY OWNED BY AN ENROLLED MEMBER OF AN INCORPORATED VOLUNTEER FIRE COMPANY, DEPARTMENT, OR VOLUNTARY AMBULANCE SERVICE. THE BILL WOULD EXEMPT UP TO 10% OF THE ASSESSED VALUE FOR MEMBERS WHO SERVED A MINIMUM OF TWO YEARS. THE BILL WOULD REQUIRE LOCALITIES THAT CURRENTLY PROVIDE THE EXEMPTION ADOPT A LOCAL LAW TO CONFORM TO THIS PROVISION. **NOT YET SIGNED**

- (S6093A) THIS BILL IS INTENDED TO CLARIFY THE INTENT OF THE LEGISLATURE REGARDING EXISTING STATUTORY PRESUMPTIONS PERTAINING TO HEART-RELATED DISABILITIES SUFFERED BY MEMBERS OF THE NEW YORK STATE LOCAL POLICE, FIRE RETIREMENT SYSTEM AND THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM. CLARIFICATION IS NECESSARY BECAUSE A SERIES OF NARROW JUDICIAL INTERPRETATIONS HAS PREVENTED THE STATUTORY PRESUMPTIONS FROM ACHIEVING THEIR INTENDED PURPOSES. **NOT YET SIGNED**
- (S953A) REQUIRES BUSINESSES THAT MAKE PAYMENTS IN LIEU OF TAXES TO PROVIDE LOCAL GOVERNMENTS AND SCHOOL DISTRICTS WITH NOTICE OF THEIR INTENTION TO CHANGE ASSESSMENT. **NOT YET SIGNED**
- (S8524B) ALLOWS FOR THE USE OF GREEN LIGHTS ON THE VEHICLES OF MOBILE MENTAL HEALTH CRISIS RESPONDERS. **NOT YET SIGNED**
- (S7863A) THE GENERAL BUSINESS LAW IS AMENDED TO PROVIDE THAT NO ELECTRIC SPACE HEATERS MAY BE SOLD IN NEW YORK STATE BY A PERSON, FIRM, PARTNERSHIP ASSOCIATION OR CORPORATION REGULARLY ENGAGED IN THE BUSINESS OF ASSEMBLING, MANUFACTURING, DISTRIBUTING, OR RETAIL SALE OF SPACE HEATERS UNLESS THEY: CONTAIN A THERMOSTAT; HAVE AN AUTOMATIC SHUTOFF; AND HAVE BEEN CERTIFIED BY AN APPROVED BODY. **NOT YET SIGNED** My Question is, who is going to enforce this. Suspect only action will be on complaints or as a result of lawsuits.
- (S7582A) TO REQUIRE THAT THE BUILDING CODE COUNCIL COMPOSITION INCLUDE PERSONS WITH KNOWLEDGE OF FLOODING HAZARDS AND THAT THE BUILDING CODE BE REVISED TO INCORPORATE MEASURES FOR FLOOD MITIGATION AND FLOOD SAFETY. **NOT YET SIGNED**

It's recommended that the fire service start to think about legislation it would like to present for 2023, bills will begin to be introduced on the first week of the legislative session starting January 2nd. If you have legislation you would like to suggest, contact your local representatives or a member of the legislative committee of one of the fire service organizations in the State.

NEWS FROM THE NYS VOL. FF R&R TASK FORCE

Updated Link for the Recruitment and Retention Task Force:

<https://www.dhSES.ny.gov/volunteer-firefighter-recruitment-and-retention-task-force>

The task force in their most recent meeting has broken into sub committees.

Open Meetings and Webcasts are located at: <https://www.dhSES.ny.gov/open-meetings-and-webcasts>

LET YOUR MEMBERS KNOW ABOUT THIS OPPORTUNITY!



Dangers of PFAS & PFOS ESIP WEBINAR SERIES

Our Risk Management team is joined by Mark Goldfedder, of the Five Bugles Institute, to discuss the dangers of PFAS and explore ways to mitigate them.

Date, Wednesday November 16th 2022 at 7PM

REGISTER AT THIS LINK:

https://webinar.ringcentral.com/webinar/register/WN_cwSg9E8wQFupU_JbnScEBQ?utm_source=ESIP+Risk+Management+Mailing+List&utm_campaign=ade361cb11-

[EMAIL_CAMPAIGN_2020_04_21_04_23_COPY_01&utm_medium=email&utm_term=0_f653b3c566-ade361cb11-278064383](https://webinar.ringcentral.com/webinar/register/WN_cwSg9E8wQFupU_JbnScEBQ?utm_source=ESIP+Risk+Management+Mailing+List&utm_campaign=ade361cb11-EMAIL_CAMPAIGN_2020_04_21_04_23_COPY_01&utm_medium=email&utm_term=0_f653b3c566-ade361cb11-278064383)

NYS AFC 2022 Seminar Series, "The Five Points of Command"

Presented by Chief/Commissioner

MICHAEL LOMBARDO

Buffalo Fire Department

Registration (per person):

\$35 – NYSAFC Individual and Department Members

\$50 – non-members

[Pre-registration](#) is encouraged. On-site registration will be accepted if space permits. Convenient online registration is available for individual registrants.

Fall 2022 Schedule (Lecture begins at 7:00 p.m.):

- **Schenectady County – November 15**

REGISTER HERE: <https://www.nysfirechiefs.com/2022seminarseries>

[New Course! Leadership for the Fire & Emergency Services](#)

The NVFC has released a new course in the Virtual Classroom on “Leadership in the Fire & Emergency Services.” This on-demand course provides an overview of leadership roles, how anyone can be a leader regardless of rank, and tips to help in succeeding as an emergency service leader. Virtual Classroom courses are always free to **NVFC members**, but this course is free for a limited time to all members of the fire and emergency services. **Register now:** <https://virtualclassroom.nvfc.org/products/leadership-for-the-fire-emergency-services>

[Innovative Recruitment Ideas for Volunteer Fire, EMS, and Rescue Departments](#)

Recruitment is a challenge for many volunteer and combination emergency service departments. The NVFC has released a new one-pager featuring 10 ideas to help jump-start your recruitment initiatives. Download it [here](#). You can find more tools and resources to help with recruitment – including customizable outreach materials and PSAs – from the NVFC’s [Make Me A Firefighter campaign](#).

OUR CHANGING FIRE SERVICE –CHALLENGES & OPPORTUNITIES!

OPPORTUNITIES:

[Applications Open! Gary Sinise Foundation First Responder Grant Program](#)

Equipment and training grants for Law Enforcement, Fire, Paramedic or EMS departments

Through the Gary Sinise Foundation’s First Responders Outreach, the Gary Sinise grants provide help to critical funding for emergency relief, training, and essential equipment to ensure first responders can perform to the best of their abilities.

Grants are reserved for Law Enforcement Departments, Fire Departments, and Paramedic or EMS departments.

Grant request are limited to Equipment and Training only.

TIP: This program prioritizes volunteer, low, and underfunded departments.

Foundation Website: <https://www.garysinisefoundation.org/first-responders-outreach>

CHALLENGES:

[New NFPA Resources on E-Bike Fire Safety](#)

Electric bicycles and electric scooters, known as e-bikes and e-scooters, are becoming increasingly popular worldwide, especially in cities. An estimated 300 million e-bikes are expected to be in use by next year. But did you know that the lithium-ion batteries often used to power these devices can lead to fires or explosions?

To address the issue, NFPA® has created a new webpage featuring information on why e-bikes and e-scooters catch fire, what some jurisdictions are doing to try and better regulate that risk, and what tips people can follow to stay safer if they store or charge e-bikes and e-scooters.

Visit nfpa.org/ebikes to explore these new, free safety resources.

[After 8 Firefighters Injured In Blaze, Va. Labor Department Investigating FD](#)

A Hampton apartment fire that injured 12 people, including eight firefighters, has triggered a state investigation and ignited a debate within Hampton Fire and Rescue over staffing and overtime issues. The Virginia Department of Labor and Industry is investigating whether Hampton Fire and Rescue violated state regulations in its response to a four-alarm apartment fire on Oct. 21. The labor department opened the investigation following news reports that eight

firefighters were injured in the blaze, according to spokesperson Jennifer Rose. The investigation will seek to determine whether the fire department violated any occupational safety and health regulations, Rose said. If so, the Virginia Occupational Safety and Health Division could issue citations.

A plausible citation would be for violating the general duty clause. “This statutory provision requires employers to keep workplaces free of recognized hazards that are likely to cause death or serious injury,” he explained. “If the department were previously on notice about a specific danger from understaffing trucks and perhaps even had adopted industry standard practices to guard against that danger, then violating that policy could conceivably be a basis for a citation when the violation causes serious injury.”

HEALTH – SAFETY & LODDS – TAKING CARE OF YOUR MEMBERS

IN 2022 WE HAVE SADLY EXPERIENCED 86 FIRE FIGHTER LODD'S

According to FirefighterCloseCalls.com

In 2021 we experienced 136 LODDs reported nationally!

Those who died in the line of duty in NYS were, Peyton Morse, Jared Lloyd, Judy Spencer and Vincent Malveaux.

Equipment Notice from MSA

New Markings on Aluminum Cylinders for Supplied Air Respirators

We wanted to make you aware of a recent change that our supplier of aluminum cylinders has made to the branding of their cylinder.

The part numbers/NIOSH model numbers for the affected cylinder & valve assemblies are: **5-978-1, 10008298, 10061364, 818159, 10008299, 10061365, 802191.**

This change to branding does not affect the performance or specification of the cylinders in any way and all fielded units with both prior and new branding are acceptable for use.

Our current supplier, Metal Impact will now do business under the name Thunderbird Metals. As part of this rebrand by our supplier, they will change the name of the aluminum cylinder that is supplied to MSA to Thunderbird Cylinders (TBC) from Metal Impact East (MIE). The only change you may notice is a slight change to the brand on the cylinder.

Please see the images on the [full notification here](#).

YOU JUST NEVER KNOW!!

- 26 year, Greensboro, NC firefighter and dad of 3 dies of cancer.
- A Baltimore firefighter/EMT suffered a medical emergency while on duty in September, died this past week. Juan Wilson was an 11 year veteran of the Department.
- Upper Saddle River, NJ firefighter Alex Moss is the 2nd Bergen County firefighter to pass away in a week.
- More Close Calls at: <https://www.firefighterclosecalls.com/>

Reference Material for Use in a Line of Duty Death

- VFBL Firefighters Guide to Benefits, wcb.ny.gov/content/main/vf-vaw/injured-in-lin-of-duty.pdf
- Survivors Benefit Guide, www.firehero.org
- National Fallen Firefighters Foundation <https://www.firehero.org>

BUILDING & FIRE CODE ISSUES – WHY ARE THEY IMPORTANT TO YOU?

****Fire Safety On Construction Sites: What Your Firefighters Need To Know**

Robert Avsec

It's unusual when a week goes by that we don't see or hear about a significant fire in a building under construction, renovation or demolition. That's because such incidents take place more often than most of us realize. In recent months, there have been fires in commercial buildings being renovated in Idaho, in a former Sony building in New Jersey that was being demolished, and in multiple apartment buildings under construction across the U.S., including high-profile incidents in Las Vegas and Texas.

The NFPA report "Fires in Structures under Construction or Renovation" brings to light several significant points regarding these types of fires:

- From 2013-2017, local fire departments responded to an annual average of 3,840 fires in structures under construction and 2,580 fires in structures under major renovation.
- Fires in residential structures under construction (e.g., apartments, condominiums) accounted for 75% of the fires in that period.
- The leading cause of fires on construction sites is cooking equipment.
- Electrical distribution and lighting equipment are two of the leading causes of fires in structures undergoing a major renovation.
- Fires in structures under construction are responsible for an average of four civilian deaths, 49 civilian injuries and \$304 million in direct property damage annually. For fires in structures undergoing a major renovation, there were an average of eight civilian deaths, 52 civilian injuries and \$104 million in direct property damage annually.

Much, if not all, of these losses could have been eliminated with the use of proper safeguards. NFPA 241: Standard for Safeguarding Construction, Alteration, and Demolition Operations provides the applicable measures for preventing or minimizing fire damage to structures during construction, alteration and demolition.

WHAT PUTS CONSTRUCTION SITES AT RISK?

Fire departments and contractors should be informed and educated about NFPA 241 requirements so both parties can manage and mitigate the risks that can lead to catastrophic and costly fires at construction, renovation and demolitions sites. No matter whether a fire is started by a carelessly disposed of cigarette or the failure to properly store or dispose of combustible materials, these fires are almost always preventable.

According to NFPA, some of the common risk factors for these buildings, which are in a state of incompleteness, include the following:

- Buildings under construction may not have all the fire protection systems they will have once the building is completed. Sprinkler systems, smoke detection and fire alarms may not yet be installed and operational.
- Construction sites are often unsecured and are vulnerable to trespassing, which can lead to vandalism, theft and intentionally set fires.
- Common ignition sources on construction sites, including equipment (e.g., heaters) and hot work (e.g., welding, cutting, grinding, soldering, hot-tar roofing).
- Failure of fire departments and building contractors to comply with the safety procedures contained in NFPA 241 can result in damage to the site itself as well as to adjacent buildings and can put site workers, civilians and firefighters at risk of injury and death.

WHAT FIRE PERSONNEL CAN DO

Any department with active construction sites in their first due should develop a comprehensive pre-fire plan that addresses the following:

- The number of personnel that would be needed to respond to a fire;
- The number and types of fire apparatus that would be needed; and
- How those resources (personnel and equipment) would be acquired (e.g, personnel call-back, mutual aid).

Further, many fire departments have initiated community risk reduction (CRR) programs within their communities. To be truly successful, these programs must involve multiple local agencies working together. In this case, that might include the building and permitting department, the local risk manager, the local emergency management director, and trade unions (if union workers are being used for the project).

I encourage you to learn more about CRR opportunities in NFPA 1300: Standard on Community Risk Assessment and Community Risk Reduction Plan Development, which describes CRR as a process to identify and prioritize local risks,

followed by the integrated and strategic investment of resources to reduce their occurrence and impact. With that description in mind, it's easy to understand how a construction site poses a threat to a community.

A large-scale construction project, particularly one using significant amounts of wood in the construction (e.g., multi-family dwellings, multi-occupancy business structures) poses a significant potential risk to the community in the case a fire starts and progresses beyond the incipient stage. Firefighters know this, but the general contractor and sub-contractors likely do not, and that's one of the key tenets of CRR: Help identify a risk, and work with the project "owner" of the risk to help them mitigate the risk. This is an important first step in developing a strategic investment of resources to reduce the potential impact of a fire at a construction site.

MEETING WITH A GENERAL CONTRACTOR

When it comes to preplanning, it is essential to learn what construction, renovation or demolition sites are active in your community. Then meet with the general contractor to ensure they, too, are educated about the requirements of NFPA 241 and what they need to do to comply.

First things first, make an appointment. You want to ensure that you have their time and full attention, and you're not likely to get either if you drop in while they're handling a problem with a sub-contractor or delivery of materials.

Begin by informing and educating them that in the most recent five-year period, as well as historically, the most common causes of fires for new construction and renovation construction sites have been identified as those involving electrical distribution and lighting equipment, heating equipment, cooking equipment, "hot work" or arson.

Then share key safety protocols to reduce the risk of fire, including the following from the NFPA:

- Ensure that temporary electrical service lighting follows installation requirements set forth in the National Electrical Code, that electrical equipment is maintained and regularly inspected, that use of extension wiring is kept to a minimum, and that machinery and equipment do not overload available circuits.
- Prohibit the use of temporary cooking equipment (such as hot plates or grills) or the use of improvised heating devices for warming food at the construction site.
- Ensure that unauthorized temporary heaters are restricted from the worksite, that heaters permitted on the worksite are placed at safe distances from combustible and flammable materials and used in conformity with manufacture instructions, and that heaters are regularly checked to ensure that they are being safely operated and do not constitute a hazard (such as being overturned).
- Require a permit system for "hot work" and enforcing a 30-minute (or longer) cool-down interval following use of torches, burners or soldering irons.
- Reduce the risk of arson by safeguarding construction sites with fencing or other controls, such as lighting or after-hours security personnel, as needed.
- Depending on the size and complexity of the project, and the number of access points that might be under "lock and key" security, suggest the installation of a Knox Box where they can place applicable keys, entry codes and 24/7 contact information (e.g., names, mobile phone numbers) for the general contractor and their supervisors. Note: Regardless of whether they install a Knox Box, all fire units that could potentially respond to a fire at the site must have that 24/7 contact information.

CONSTRUCTION SITE TACTICS

When responding to a reported fire at a construction or renovation site, responding personnel should be prepared to engage a fire that's rapidly developing and traveling in any number of directions, both horizontally and vertically.

Here are some key tactical considerations for responding units:

- Don't be surprised. Think and prepare for an exterior fire attack (until proven otherwise by a good size-up and risk assessment).
- **Request additional resources as soon as you confirm you have a fire.** If you don't, you'll risk having the fire develop too rapidly and your additional resources arriving too late.
- Implement your personnel accountability system and begin building your ICS structure and **fill the Incident Safety Officer position ASAP.**
- Instruct tactical leaders (e.g., crew leaders, division/group supervisors) to **be unyielding in maintaining crew integrity** and communicating key information to their overhead ICS position (e.g., conditions, progress with their assignment, and resources needs).

- Commit the minimum number of fire apparatus necessary to conduct the exterior fire attack. These construction sites can have parked vehicles and construction equipment anywhere and everywhere on the site, thus limiting fire apparatus access to the scene. Just as importantly, **you want to be able to quickly get fire apparatus out of the site should the fire overwhelm your fire attack capabilities.**
- **Anticipate the fire progressing to adjacent structures via radiant heat**, so ensure that your available water supply has protected those exposures before committing water to the fire building.
- **Big fires require big water**, starting with water supplies using large diameter hose from multiple water sources, and progressing to the “business end” where firefighters should use large-caliber handlines, master stream devices, and elevated master streams.
- **Establish a collapse zone for the involved structure early.**

KEY TAKEAWAYS

Beyond potential personal injury, death and direct dollar loss, the impacts of construction site fires can have far-reaching, long-term economic and other community impacts. It’s incumbent upon fire department personnel and contractors to become informed and educated about NFPA 241.

As Benjamin Franklin, writing under his pseudonym, Poor Richard, wrote many years ago, “An ounce of prevention is worth more than a pound of cure.”

Home builders and relators already “drive” legislation with a history of disregard for life safety and a disgusting misinformation campaign about the cost of residential fire sprinklers, deaths are an awfully expensive price to pay to save money. Stop the carnage, install residential sprinklers.

WEEKLY FIRE FATALITY DATA AS REPORTED BY THE MEDIA

Fire Deaths in 1&2 Family Dwellings in NYS	64+1=65
Latest fire death, Onondaga Co., Syracuse, Male 5	
Fire Deaths in any type of Dwelling in NYS	110+7=117
Fire Deaths in 1&2 Family Dwellings Nationally	1091 + 16=1107
Top Three State with the most 1&2 Family Deaths	1 PA -- 92
	2 OH -- 76
	3 TX -- 69
There has been a total of 1829 civilian home fire fatalities in 2022	
There were a total of 2248 residential fire fatalities reported in 2021 in the US media.	
Both the states of Maryland and California require sprinklers in residential dwellings	

In 2021 in New York State **68** residents perished in fires in 1 & 2 family occupancies.

FIRE DISTRICT FINANCES

2022 Governmental Accounting Class Schedule

Register for Accounting Schools Now Here!

<https://www.osc.state.ny.us/local-government/academy/osc-government-accounting-schools>

Accounting Principles and Procedures (Advanced Accounting School) - his multi-day school is designed to familiarize participants with accounting and financial reporting requirements for local governments in New York. The course provides guidance on certain operational issues, such as cash management, purchasing, processing claims for payment, accounting for capital projects and utilizing reserve funds. This school is a good follow-up to our Introduction course, although attending the Introduction is not a prerequisite. It will benefit Chief Executive Officers, Chief Fiscal Officers, Comptrollers, Treasurers, Clerks, Accounting Personnel, Board Members and Department Heads.

Available Dates:

November 15-16, 2022 Online

RETAINING AND RECRUITING

****Maximize Your Membership: Rural Departments Must Get Creative To Meet Community Needs**

Blaise Bojo

As all firefighters should know – but not all citizens realize – most rural communities lack some public safety services, such as a full-time office of emergency management/homeland security, hazmat response teams, technical rescue response teams, and other services. In these communities, the volunteer fire service fills that void. As firefighters and fire officers in these communities, we must ask ourselves, “Are we ready for the next challenge?”

One of the problems with relying on the volunteer fire service for countless all-hazards response efforts is the simple fact that the number of volunteer firefighters is dwindling at an alarming rate. This leaves the growing number of unique and sometimes complex calls to be handled with limited staffing. Further, the increasing demand for unique services requires an increased amount of training for volunteers to be able to respond adequately to these incidents.

CAPITALIZE ON SKILL SETS

One thing that I believe helps with our ability to respond to these incidents is the skills that volunteer firefighters bring to the table from their full-time or “other” occupations – mechanics, arborists, loggers, farmers, quarrymen, administrative workers, electricians, construction workers, and so much more. They likely also have hobbies that require skills that could be useful in a variety of incidents. If we connect and maximize our respondents’ unique skills and experiences from outside their traditional fire service skills, we can be incredibly effective.

Where to begin? First, explore your membership. Officers should always sit down and talk with new members to get to know them. Find out what they do for a living. Their skills from their everyday job or hobbies may be useful in response to a wide variety of incidents. Some examples:

- Mechanics: They have advanced knowledge of power tool use. They also have advanced knowledge of vehicle and machinery anatomy, and the easiest way to get those things cut apart in a timely fashion.
- Arborists: They have the skills necessary to ascend and descend a tree better than anyone. This can be a great asset for scenarios where an aerial device can’t provide the access you need.
- Farmers: They will have knowledge related to agriculture fire/rescue incidents, like those involving grain bins or other machinery.

MAXIMIZE YOUR PREPARATION

Now that you’ve discovered the unique skill sets among your members, it’s time to maximize the department’s effectiveness, even with limited staffing.

Following are some recommendations for how staffing-challenged rural fire departments can best serve communities:

- Ensure there are standard operating guidelines in place for the types of incidents to which you may be called upon to respond.
- Conduct a community risk assessment in order to determine the types of emergencies most likely to occur in your community, then tailor your training and response preplanning around these response types.
- Train for what has happened in your jurisdiction in the past as well as for those incidents that have the *potential* to happen. After all, without training and preparedness, we are just normal people with specialized equipment.
- Dig into your members’ talents, maximizing their skill sets, as noted above.
- Establish preplanned/automatic mutual-aid agreements with neighboring fire departments for unique incidents that may be staffing-intensive.
- Elevate training for rural fire officers to include emergency management. Officers should have advanced training in emergency management and the incident command system. A good sequence of training courses is FEMA’s Professional Development Series as well as ICS-300 (Intermediate Incident Command System for Expanding Incidents) and ICS-400 (Advanced Incident Command System for Complex Incidents).
- Maintain a good working relationship with other agencies. Your fire department should have a good working relationship with other local agencies, including transportation/highways, police department, regional emergency management, EMS and healthcare agencies. Incorporate these agencies into your drills for unique incidents and ask them to incorporate you into theirs.

Being prepared for these types of incidents, big or small, allows our rural communities to be as safe as possible.

CRITICAL QUESTIONS

Our communities deserve to have these services available, and it is our duty to provide them. We stand ready to help our community with whatever is needed, come hell or high water. When our citizens are in trouble, they call us – and we should be proud of that. But we must also consider what level of service we can provide.

Some questions that we need to ask ourselves:

- Is this increasing demand for services affecting our already dwindling number of volunteer firefighters?
- How can we provide an increased number of services on an already strained budget?
- Does the strained budget mean that on top of asking our volunteers to respond to calls for service, we must ask them to fundraise more to provide themselves with the equipment needed to do the job?
- How do we ask our volunteers to attend increasing training sessions to face the increasing demand for different services?

While the answers to these questions will differ based on your unique needs and department resources, I do know that, no matter what, the volunteer firefighters in our rural communities will do whatever is needed, whenever it is needed.

PURCHASING APPARATUS

Is Mandating Ancillary Fire Equipment Overreaching?

Bill Adams

My answer is NO. NFPA 1901, Chapter 1 Administration, sentence 1.1* states: “Scope. This standard defines the requirements for new automotive fire apparatus and trailers designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigation of other hazardous situations.”

Merriam-Webster’s Dictionary defines *scope* as *an intention and a range of operation*. Sans the descriptive and moderating adjectives, I interpret NFPA 1901 defining its *scope* solely as the requirements for a vehicle (or trailer) to *transport* personnel and equipment. That’s it. It says nothing about ancillary equipment that must or should be carried.

It is my opinion that requirements beyond describing the actual vehicle to move people and/or equipment exceed the boundaries of NFPA 1901’s own definition and the intent of the document.

There is no disparaging the objective of any NFPA standard in providing safe environments for firefighters when performing their duties. NFPA 1901 has self-described that environment as the vehicle “*to get them there.*” What they’ve brought with them and what they do after they get there are not 1901’s responsibility. ***Over the years, it appears 1901 has self-adopted criteria that is beyond its scope—including ancillary equipment—without any appreciable pushback from the fire service.***

Liability

NFPA 1901 is a nationwide voluntary consensus standard that is not legally binding unless formally adopted by a political subdivision. There are statements within it that, if not followed, might put the fire department or its authority having jurisdiction in legal jeopardy.

Could fire departments be liable if “something bad happens” that can be attributed to not carrying a piece of ancillary equipment that NFPA 1901 mandates, suggests, recommends, or says a purchaser “ought to” consider carrying? Ask your attorney if contributory negligence is applicable.

American Fire Service

The NFPA’s Web site¹ points out that 82% (24,220) of the 29,537 fire departments in the United States in 2019 were volunteer. Career departments maintain their own individualities, albeit within the constraints of political overseers. Volunteers’ autonomy can be and usually is much more liberal.

A standardized fire truck may not be suitable to fit the needs of every career and volunteer department in the country. It’s equally so for a single list of even minimum ancillary equipment NFPA 1901 wants each rig to carry. I venture many departments would like to say, “Let NFPA 1901 describe a rig to get us there safely, and we’ll decide what to bring and how to use it.”

America’s fire service is not nationalized, meaning the federal government does not own, control, or pay for it. It is federalized, meaning control rests with the local jurisdictions that own and pay for it. The local jurisdictions should decide what to purchase.

Important: Some apparatus and ancillary equipment may be voluntarily subject to the requirements of regionalized entities including governmental agencies and local organizations. An example: "If you want to participate in our mutual-aid group, here are the rules you must comply with, which include minimum apparatus and ancillary equipment requirements." That is 100% justifiable.

Civil Defense

In the 1950s, both the American and Canadian governments provided local communities with hundreds of standardized fire and rescue apparatus for use in the event of an enemy attack and specified emergencies. Perhaps not intentional, it was an attempt at standardization. There were specific rules for their use. To the best of my knowledge, they did not require specific ancillary equipment to be carried. The programs were eventually discontinued.

United Kingdom

A British Web site² noted that because of mass bombings throughout the United Kingdom during World War II, about 1,600 autonomous fire departments (brigades) were "nationalized" into a single entity, the National Fire Service (NFS). However, a 1942 *Fire Engineering* article³ said the Brits were not "nationalized" but the government did pay 25% of the expenses and provided the apparatus (appliances).

In a turnaround, a 1948 *Fire Engineering* article⁴ said after the war, the Fire Services Act of 1947 did away with the nationalized fire service, with the fire brigades reverting back to what they called "local authority," where most remain today albeit with some amalgamation.

California's Standardization

Although California has not suffered from massive aerial bombardments, the California Governor's Office of Emergency Services (Cal/OES) created a statewide mutual-aid program featuring standardized apparatus with mandatory ancillary equipment and interestingly standardized equipment locations. Paraphrasing the Cal/OES Web site⁵, "Established in 1950, California's fire and rescue mutual-aid system is a one-of-a-kind partnership between state and local government that provides equipment and personnel surge capacity to protect the state during wildfires and other hazards. Cal/OES has a fleet of 114 Type 1 fire engines, 68 Type 3 fire engines, and 34 Type 6 fire engines strategically placed with local fire agencies throughout California to combat wildfires and respond to other disasters and emergencies."

Ed Boring, fleet manager at HME-Ahrens Fox, says: "HME-Ahrens Fox has delivered over 200 units to California's OES including Types 1, 3, and 6 engines and Type 1 WMD/Haz-Mat apparatus with the ancillary equipment required to be carried on them."

He continues: "Type 1 engines are NFPA 1901 Chapter 5 compliant with the exceptions of the self-contained breathing apparatus and spare cylinders, which are provided by the assignee. They also carry a basic wildland hand-crew cache for 4 personnel, with the exception of PPE, and a basic Type 3 collapse cache (primarily building assessment/triage and basic shoring tools). Recent models have electric hydraulic rescue tools including a cutter, spreader, and ram. Each type of engine is equipped identically, and locations of fixed tools are templated and installed during manufacturing, with all ancillary equipment provided by the OEM."

Boring mentions that fire departments within California regularly purchase tag-on units, as do primarily western states' departments. With the most recent (third) update of the Model 18, it has drawn quite a bit of attention across the nation." Cal/OES calls a Type 1 engine its Model 18.

I simply describe Cal/OES requirements as follows: "Here's a fire truck with all the ancillary equipment to carry on it. You can use as we prescribe, and you must respond mutual aid anywhere and whenever we call you." [Cal/OES is a state agency separate from the California Department of Forestry and Fire Protection (CAL FIRE), which is the actual fire department of the California Natural Resources Agency.]

NFPA 1901

I don't believe America is ready for a nationalized fire service with standardized apparatus to be used throughout the country, nor is it ready for standardized ancillary equipment requirements—regardless of if they are described as minimums. If a nationalized fire service is going to mandate apparatus and the equipment to be carried, then let the nationalized fire service pay for it. If a fire department doesn't like or want a standardized apparatus with mandatory equipment, it can "spec and buy its own." Will some standardized apparatus work? Sure, they will—within parameters. Will all the rank and file like it? Of course not.

Despite the good intent of NFPA 1901, I believe it overreaches when mandating ancillary equipment. It doesn't seem "appropriate" that 30 unelected members of a committee chosen by an unelected NFPA hierarchy can dictate the types and quantity of ancillary equipment that every fire truck in the United States must carry.

Let NFPA 1901 describe a safe vehicle to transport personnel and equipment to the scene of an emergency. Each fire department should decide for itself what equipment is necessary to mitigate emergencies in its individual areas of responsibility.

THE ATTORNEYS OFFICE

*****UPDATE – JUDGE AFFIRMS \$32M ARBITRATION AWARD IN FATAL APPARATUS CRASH – MISSOURI***

A Jackson County judge has approved a \$32 million arbitration award rendered against Kansas City firefighter Dominic Biscari stemming from a fatal crash involving a fire engine that left three people dead in Westport in December.

Judge Jennifer M. Phillips confirmed the settlement in an order on Tuesday in accordance with Missouri law that such awards be approved by the court. The judgment, which concerns Biscari personally, came through arbitration proceedings that concluded last month.

On Dec. 15, Biscari was behind the wheel of Kansas City Fire Pumper 19 when the engine was headed north on Broadway Boulevard and struck an SUV at Westport Road shortly after being called to a reported structure fire. The crash happened about one minute after the fire crew was advised by dispatchers to stand down.

The SUV, occupied by Jennifer San Nicolas and Michael Elwood, was pushed through the intersection and up Broadway as the fire engine continued on into a series of cars parked along the street. Tammi Knight, a pedestrian who was about to enter a vehicle, was struck as the fire engine crashed into her and through the facade of a commercial building that once housed a popular bar.

The SUV was pushed onto the sidewalk. After the fire engine busted through a brick wall, the building's upper floor collapsed, trapping Knight underneath a pile of rubble for 10 hours. All three were declared dead at the scene.

In October, retired Judge Miles Sweeney — assigned to oversee arbitration proceedings in the matter of wrongful death claims brought against Biscari specifically — **found that his driving that night was clearly reckless** and that KCFD was already "on notice of (Biscari's) dangerous and reckless driving of KCFD vehicles."

In his summary, Sweeney found that loved ones of the victims — and the owner of the destroyed building — deserved to be paid a collective \$32 million by Biscari in compensation.

Sweeney awarded \$9 million to parents of Elwood; \$11 million to the mother of Knight, and \$2 million to Knight's romantic partner; and \$9 million to the mother of San Nicolas. Another \$1.4 million was awarded to the company that owns the destroyed building.

Biscari was not represented by legal counsel in the civil lawsuit and agreed to handle the wrongful death claims through arbitration.

*Biscari also likely does not have \$32 million to pay the families. But civil attorneys may be attempting to hold KCFD accountable for the sum through a legal mechanism known as **vicarious liability**, where an employer may be held responsible for the actions of an employee during the official course of duty. Tim Dollar, the designated lead civil attorney on the case, has declined to comment.*

Attorneys for the families allege the city and the fire department were negligent in allowing Biscari to operate a 40,000-pound fire engine on the night of the crash. Among the evidence they have cited is a warning one employee shared with fire officials a little less than three months before the deadly crash unfolded.

The employee told supervisors that Biscari accelerated to 70 mph on Broadway in an ambulance when it wasn't necessary while they were transporting a critically ill patient and vowed she would never ride with him "ever again."

Wrongful death claims filed against the city, and more specifically the Kansas City Fire Department, are still ongoing in Jackson County Circuit Court. KCFD has said the department does not comment on pending litigation.

<https://www.aol.com/news/jackson-county-judge-affirms-32m-222535106.html>

[EDITOR'S NOTE: 100x please slow down and use utmost caution when driving and make sure all the drivers of your District's apparatus are trained and are exercising due diligence. Vicarious liability will bite you where it hurts!]

Utah Fire Department Accused of Destroying House

A Utah fire department is being sued for allegedly destroying a man's home last July as part of a training exercise. Greg Young filed suit in US District Court for the District of Utah claiming that the South Jordan Fire Department used his home on South Gold Dust Drive without his permission, and literally destroyed it.

The complaint explains the damage and the reason for the suit as follows:

- *South Jordan City and the South Jordan Fire Department cut Greg's garage door in half.*
- *They cut holes through his roof and rafters.*
- *They axed his walls.*
- *They shattered his windows.*
- *They tore out parts of his electrical wiring.*
- *South Jordan never asked Greg for permission to enter his property.*
- *South Jordan never asked Greg for permission to destroy his home.*
- *Instead, Greg only learned about South Jordan's vandalism after the damage was done.*
- *Greg then contacted South Jordan, upset that South Jordan had ruined his home.*
- *Greg asked South Jordan for an explanation. He also asked South Jordan for a plan to resolve the damages the City caused.*
- *South Jordan acknowledged that Greg had not authorized the City to enter his property or ruin his house.*
- *However, South Jordan did not provide Greg with any compensation or other plan to restore Greg's property.*

No Criminal Charges Will Be Filed In Death Of Peyton Morse

Leila Merrill

A grand jury found that there is not enough evidence to warrant charges against anyone at the New York State Fire Academy. A grand jury declined to file criminal charges in the death of Watertown Firefighter Peyton Morse, citing a lack of evidence WWN reported Monday. Morse, 21, suffered a medical emergency during a training exercise at the New York State Fire Academy on March 3, 2021. He died in a Pennsylvania hospital nine days later. The grand jury heard testimony from Watertown Fire Chief Matthew R. Timerman and Morse's father, Dave Morse, in August.

"Over the last three months, evidence was presented to the grand jury, which concluded its deliberations late last week. The grand jury ultimately determined there was insufficient evidence to warrant charges being brought against anyone at the fire academy for causing Morse's death. The criminal case is now officially closed," Schuylers County District Attorney Joe Fazzary said in a news release. A report by Public Employee Safety and Health investigators found no violations of health or safety standards, which drew criticisms from the chief and Morse's parents. Other trainees testified that they saw instructors yelling at Morse as he lay on the floor not breathing.

Pa. Chief Charged In Theft Of \$25K+ From Relief Association

Keely Doll

Gregg Township Fire Company's chief was charged Monday with taking \$25,910 from the company's relief association.

Chief Darin Bressler was charged with theft by unlawful taking or disposition and receiving stolen property by the Centre County District Attorney's Office. According to the charging documents, Bressler took a total of \$25,910 in cash withdrawals from the Gregg Township Fireman Relief Association checking and savings accounts. The 18 withdrawals were made between March 14, 2019, and Nov. 11, 2020.

In August the DA received a referral from the state auditor general after an audit of the association that covered January 2017 to December 2021.

The auditor made eight findings, two of which related to potential criminal activity, according to the charging documents. The two findings noted "undocumented expenditures and unknown withdrawals" from the association's accounts, the charging documents state.

Bressler was given multiple opportunities to provide documents but failed to do so, prompting the auditor to contact the bank directly for the information. State law requires two signatures to withdraw money from the relief association's account but the withdrawals only contained Bressler's signature.

Bressler was interviewed by a detective on Oct. 17 and admitted to making 18 cash withdrawals but said he had given the money to a former fire company member to purchase a new fire engine. Bressler did not provide the former fire company member's name or where the account was but said he could get the money back.

After failing to return the money by an Oct. 19 deadline, Bressler told authorities on Oct. 20 that he had spent it. He made a formal statement at the DA's office on Oct. 24, admitting to using the money to pay off bills and credit cards, according to the documents filed by the DA.

The fire company did not return requests for comment Monday.

Bressler's preliminary hearing is scheduled for Nov. 16. A defense lawyer was not listed. Bressler was arraigned by District Judge Gregory Koehle and released on \$25,000 unsecured bail.

[The moral of the story is, you always get caught.]

Dissolution of NY Fire Department Moves Forward

Julie Abbass

There will be no more waiting. The Copenhagen Village Board moved forward with the dissolution of its fire department on Tuesday evening and while the meeting to make that happen was short, the accusation-laden discussion that followed was not.

Mayor Mark A. Souva addressed the 17 people present — many from the fire department and the department's auxiliary — with a short explanation of the meeting's purpose.

"It is our position that we not waste any further taxpayer funds on this matter and ask that the fire department abide by the law and return all the funds and equipment to the village within 10 days. We hope that they will do the right thing," Mr. Souva said.

"This action could have been avoided if the fire department had abided by contracts as stipulated that an audit of all accounts be done," he added. "They have been asked multiple times in the past year to provide this information and have chosen not to comply. This board has done everything possible to avoid this but has met resistance from the fire department to turn over the books and allow an audit from an outside source to be conducted."

About seven minutes after the meeting was called to order following the passage of four resolutions that either documented the dissolution or will ensure fire protection for the village going forward, the mayor attempted to close the meeting but the president of the corporate side of the department, James Henry, interjected a question.

"What happened to the resolution in the last meeting that you were going to the Supreme Court?" Mr. Henry asked.

No resolution was made to bring to the Supreme Court the village board's objections to the petition for a public referendum on dissolving the department during the Oct. 20 meeting. The village's attorney for the fire department situation, Candace L. Randall, said that if the board rejected the petition, their objections would go to the Lewis County Supreme Court for a hearing. The board rejected the petition although she had said it could take longer and cost more to go through the Supreme Court than holding a special election for the referendum.

She had also said at one point in that meeting that anyone could submit objections to the court for review.

Mrs. Randall and Mayor Souva clarified that the resolution passed in the last meeting gave the mayor power to "sign anything necessary to move forward" with the dissolution.

"Real nice. They say one thing and do just the opposite. Nice work people, real nice," Mr. Henry responded in outrage. "It was a play of words."

Although the meeting was officially closed not long after when attendees and board members started talking over each other, a number of people present remained to call out the board for its handling of the dissolution by not allowing a referendum.

They made a smattering of other complaints like a perceived lack of information provided by the village clerk — an appointed not elected position in the village — in response to a Freedom of Information Act request for the amount of money paid for Mrs. Randall's services.

Trustee Kimberly A. Vogt clarified that the clerk can only provide existing documents under FOIA requests, not create new documents, and Mrs. Randall confirmed that she has not yet submitted invoices for her services.

Not all of those present found fault with the village.

"You people seem to forget why we're in the position we're in," village resident Gail Alexander said. "Where's the 2021 books? 'Well, we don't have them to give to them but we're pretty sure everything's there.' That's why we're here."

The village and the towns contracting with the fire department for protection have repeatedly asked for a comprehensive audit by an outside company since the department's former treasurer was charged last year with grand larceny for stealing \$27,000 from the law firm for which she worked. At least \$10,000 was made available to cover the high cost of the audit by the municipalities.

Although Mr. Henry claimed that "no one would touch" the department's audit because of the media coverage of the situation, the village board had found an accounting firm in Rochester that was willing and provided its information to the fire department and that the accountants had reached out to the department but had not heard back.

Tempers and accusations were hot although one of the most vocal attendees, Julie Deveines, did listen to Trustee Kerry J. Colton when he responded to her demand for a reason for not holding a public vote on the dissolution.

"It's because the village does not know the stuff behind the scenes and we cannot tell them," he said. "If people knew what we know, what's being investigated or not, it would be different."

When asked why, then, the board didn't wait until any investigations were complete, Mrs. Vogt said. "Because all this is doing is costing us money. They are misappropriating funds. Period. And they continue to do so. They're taking your taxpayer dollars and pissing it down a rat hole."

Mr. Kerry added that he believes the dissolution should have taken place 10 months ago.

Mrs. Deveines' response: "Why can't the village just micro-manage what they're doing over there?" which elicited a frustrated and simultaneous version of "that's what we're trying to do" from the board and even some residents present who support the dissolution.

The four resolutions were passed to move the dissolution process forward during the meeting — one to set a public hearing for Nov. 14 on the board's intention to sign a contract with the Rutland Volunteer Fire Department and three others requiring a letter be sent to the department asking for the return of all funds and "tax payer assets" within 10 days.

Letters will also be sent to county officials and mutual aid fire departments informing them of the dissolution and giving permission to negotiate the lease for storage space in the village for a fire truck to be provided by Rutland.

The resolution to set the public hearing passed unanimously. The other three passed 3-1 with Trustee Patricia G. Bates voting against them.

In an interview after the room had cleared, Trustee Shareef J. Stokely wanted to make one point clear.

"The bottom line is, *it's a leadership problem* but what I want the fire department to know — the members themselves — is that *it's not the members that we're talking to, it's the leadership,*" Mr. Stokely said. "It's not the members fighting the fires. It's not the ones fighting the fires. It's just the leadership."

The fire department is legally required to return all documents, funds and assets to the village no later than Nov. 11.

For information only and not for the purpose of providing legal advice. The opinions expressed are the opinions of the individual author at the time the facts were presented and based on the law then applicable. The information contained in these opinions is not guaranteed to be up to date. The information provided is not legal advice. Since legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, nothing on this site should be used as a substitute for the advice of competent legal counsel. The authors assume no responsibility to any person who relies on information contained herein and disclaim all liability in respect to such information. You should not act upon information in this publication without seeking professional counsel from an attorney admitted to practice in your jurisdiction.

STEP INTO THE CHIEF'S OFFICE:

10 Chief Commandments

Chris Barron

Have you ever thought about what attracted you to emergency services? For me, it was a ride out with my neighbor as a volunteer firefighter. I have now spent 32 great years in the fire service and the experience has been very rewarding, trying, and challenging, but worth the benefits and feeling of self-gratification.

With all the ups and downs we experience as firefighters, you may at times find yourself wondering: "How could I have done things better—for a better outcome?" However, one should not dwell on the past, as history cannot be changed. Instead focus on whether there are things you can do to improve so that you can alter the outcome of the future with desire, willpower, and focus.

Being in a leading role for decades, I have had the good fortune to learn from others, to lead others, and to learn from mistakes. Capturing some of those lessons learned developed into these 10 "Chief Commandments."

1. Customer Service IS #1

If you make customer service of internal and external customers your number one priority, it goes a long way in increasing your services, the health and safety of your firefighters, and feeling better about what you do. We should all strive to make our customers' day better, whether it is your firefighters or Mr. and Mrs. Smith! Be an advocate for improved services and treat others better than they expect to be treated. Are you training your firefighters on the basic skills needed to communicate, show respect, and make the firehouse a place that they WANT to come to?

2. Put It to Paper

Let's face it, these days if it is not recorded on paper, video, or audio, any incident can easily be contested. Do you and your crew have the knowledge, skills, and abilities to use a computer and the appropriate software to document an incident, a positive impact, or a disciplinary action? Are you documenting unsafe practices in the firehouse and verbal warnings given to staff to account for someone breaking the rules? These "paper trails" go a long way in rewarding someone or helping someone understand the rules and guidelines they should be abiding by.

3. Think/Plan Ahead

What is going on in your community? Are there so many new developments you can't keep up with growth? Are you planning ahead for the replacement of fire apparatus, new technology, or the "What-ifs?" Do you allow for the flexibility to accommodate the unexpected? Do you have replacement plans for fire apparatus, self-contained breathing apparatus, extrication equipment, or other big-ticket items?

4. Cha-Ching! Budget for People and Things

The big red trucks (or whatever color your fire truck is) can't get there alone. They require people to operate them! We now have electric fire trucks, but I don't think we will see any drone fire trucks in the near future. Are you budgeting for people, retirements, incentives, salary adjustments, or an economy crashing? Have you increased your response incentives based on the economy fluctuations? Get out there and research grant opportunities, apply, and do what you can to supplement your funding needs.

5. Bad Apples

If you have a toxic member in your organization, get rid of them before it spreads! Don't let one ruin the bunch. Don't be afraid to "fire" a volunteer member or correctly deal with a paid staff member if they are causing morale problems in the firehouse! Do you have a current member handbook, code of conduct, and definition of an active member? Has it been updated and reviewed by legal?

6. Motivate

Let's face it, we all need a little motivation to stay engaged, involved, and wanting to learn more. Be that advocate to provide incentives to stay involved, stay healthy, stay educated, and become promoted. Provide a career ladder for your volunteers and/or paid members.

7. Speak or Forever Hold Your Piece

As the saying goes, communication is key! Don't hold back—but always think before you speak. Make a statement in your emails, texts, meetings; make them want to listen. More is better, but with clear and concise communications, less can be more. Watch out for social media posts as we know backdrafts can quickly appear and explode. Having an open-door policy works, but your staff should know the chain of command and follow it.

8. Education Road Map

Don't ever stop learning. It's never too late and you never get too old to learn. Design your own path. What's your next certification or big plan? Maybe it is taking up another language or going after a long-awaited or delayed college degree. Don't forget, we must train our replacements; have a succession plan in place.

9. Change...For the Better

We all know the saying that firefighters don't like change but don't like how things are. Be that advocate for change in your fire department. The research has been done, many reports have been read, and the fire service has improved. Have you implemented the lessons learned from those reports? Let's face it, sometimes we have to swallow our pride, try something different, and see if what we are now doing improves our services. If you don't try, you'll never know the results.

10. Break Limitations

Expand your horizons and maximize resources. Times are tough. Volunteerism is down and getting paid staff to pull extra shifts is even tough these days. A little pandemic didn't help us! Do you have personnel that are maybe task specific? Have you given some ownership of certain projects to department members? How about the concept of automatic aid? We should all be in this profession for the same reason and the quicker we can get to the incident, the better the outcome. If our neighboring fire departments are closer to an incident, use them. The technology is there, make it happen!

10 +1: Clock Me Time

Being in a leadership position in your fire department can take a toll on your mind, your health, and well-being. Take time for yourself! Don't become a victim of the stress and don't let the job wear you down. Talk with fellow officers, find a mentor, go on vacation, enjoy life. Take time for yourself, you deserve it!

LEADERS WITH INFLUENCE

GIVE when they don't have to.

CARE for others.

GROW continuously.

LIVE authentically.

EMPOWER others.

MANAGE hardship.

SERVE with humility.

Thanks Jill

LEADERSHIP FIRST!

Poor leadership is building a great team and doing everything in your power to hold onto control. It makes no sense to recruit the best people and tie their hands by not giving them the freedom to perform.

THE LIGHTER SIDE!

Do you ever get up in the morning, look at yourself in the mirror and think..."That can't be accurate."

OFFICERS OF THE CAPITAL AREA ASSOCIATION OF FIRE DISTRICTS

2022 OFFICERS AND DIRECTORS

President: Tom Rinaldi, Commissioner Stillwater/Saratoga

1st VP: John Meehan, Commissioner West Crescent/Saratoga

2nd VP: Art Hunsinger, Commissioner Clifton Park Halfmoon/Saratoga

Board of Directors: Les Bonesteel Commissioner Burnt Hills/Saratoga, Tom Wood Commissioner Northumberland/Saratoga, Joyce Petkus Treasurer Greenfield/Saratoga, Ed Woehrle Commissioner Niskayuna #1/Schenectady and Mike Podolec Commissioner West Glenville/Schenectady

Secretary/Treasurer: Tony Hill

Sargent at Arms: Tom Wood

Chaplain: Fred Richards

Legal Council: Greg Serio

The Capital Area Association represents fire district officials from the fire districts in Albany, Schenectady, Rensselaer, Warren, Washington, Saratoga, Fulton and Montgomery Counties

Fire District Officials include Commissioners, Treasurers, Secretaries and Chief

All are invited to participate in all of the Capital Area Activities

The Capital Area Association wants to take this opportunity to thank all the Fire Districts who continue to support the local Capital Area Association as members for 2022.

FIRE DISTRICT RESOURCES --THE BACK PAGE -- FOR YOU TO FOLLOW UP!

What are the duties and responsibilities of a Commissioner?

The Answer is posted on our web site at www.AFDCA.org

Vital Statistics on the State Association Regions – the break out is on our web site.

Get a copy of the 2022 ELECTION SCHEDULE HERE: <https://afdca.org/wp-content/uploads/2022/07/2022-Election-Schedule-1.pdf>

CAPITAL AREA BUSINESS PARTNER'S

PLEASE SUPPORT THOSE WHO SUPPORT US!!

Business Partner Applications Available At: WWW.AFDCA.ORG

[Welcome Back all of our Business Partners for 2022](#)

We invite our business partners to submit educational information to be included in this Bulletin for district commissioners and chief officers

Write me at tom@rinaldi1.com

Please Support Those Who Support Us!!

If you have information on new products you wish to showcase or is educational and informative for fire districts, please submit it and we will use it in this Bulletin under the appropriate heading.

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Brendan Kennedy ext 356

The Capital Bulletin is reaching well over 400+ fire district members and now other members of the fire service on a regular basis. Since the Capital Area Association covers an area the size of Connecticut it is difficult to meet in person to exchange information and ideas.

This is a service of the Capital Area Association through the effort of Tom Rinaldi who can be reached at tom@rinaldi1.com for comments or content contributions are always welcome.

MEMBERSHIP IN THE ASSOCIATION OF FIRE DISTRICTS OF THE CAPITAL AREA

Would you like to join the Association of Fire Districts of the Capital Area and join 75 members in 8 counties? Both fire protection districts and Village departments are eligible for membership.

The yearly membership dues (January 1st to December 31st) shall be as follows and shall be based on the annual budget of the Fire District/Organization;

To take effect January 2023:

\$0 to \$200,000: \$50

\$200,001 to \$400,000: \$100

\$400,001 to \$600,000: \$200

\$600,001 plus: \$300

Business Partners: \$100.00 annual member fee
