



CAPITAL AREA FIRE DISTRICTS ASSOCIATION BULLETIN

FEBRUARY 8TH, 2025

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Serving the fire service community since 2004

CAPITAL SHORTS:

- **Go to the OSHA Supplement and see what actions need to be taken by the fire service, please don't ignore the request. Time sensitive send before February 12th!!**
- Does anyone have any expertise in CANVA, I have a fire prevention project that needs some expertise, my email is in the header.
- Sponsors are already starting to line up for the Spring 2025 Conference being held in Lake George in April. Sponsors at any level are welcome.
- **We are inviting you to our next CAFDA General Membership Meeting, at Clifton Park FD, Thursday February 13th at 7PM. Dinner will be served prior to the meeting. Zoom Link at: <https://us06web.zoom.us/j/86850960957?pwd=TqQVH3alnicvJqNabISKLfDU5GOrYP.1>**
- **Our sympathies to the Harris family and members of the Pittstown Fire & Rescue, Rensselaer County on the passing of past chief, Commissioner, Chauffeur and all-around good guy Jerry Harris.**
- **Unfortunately, our sympathies also go out to the family and friends of Dick Martinkovic who served many capacities in several fire service organizations including Treasurer of the NYS Fire Coordinators Association and served 11 years as Sullivan County Commissioner of Public Safety as well as Supervisor of the Town of Liberty.**

CAFDA NEWS AND OPPORTUNITIES:

WWW.CAFDA.NET

[OSC APPROVED COMMISSIONER TRAINING, LOCAL CLASSES](#)

Hope your elections went well and congratulations to the winners and losers, the winners for their future contributions and to the losers for your past contributions, many times it's a thankless job.

Local Training for New/Appointed/Reappointed Commissioners will be held in the following locations by CAFDA:

- **Saratoga County, CLIFTON PARK FIRE DISTRICT: Saturday, March 1, 2025** Snow Date: Sunday, March 2, 2024
- **Fulton County, BERKSHIRE FIRE DISTRICT: Saturday, March 29, 2025** Snow Date: Sunday, March 30, 2024
- **Warren County, WARRENSBURG FIRE DISTRICT: Saturday, April 5, 2025** Snow Date: Sunday, April 6, 2024

Classes begin at 8am and end at approximately 3pm. Continental Breakfast and Lunch are included.

\$85 per attendee for Member Districts and \$95 per person for non-member districts.



THIS QR CODE TAKES YOU TO THE CAFDA WEBSITE FOR REGISTRATION

[PLANNING FOR CAFDA CONFERENCE '25 - LAKE GEORGE](#)

The Education Committee has been hard at work on the 2025 Conference to be held in April at the Fort William Henry Conference Center in Lake George. Topics have all been determined and sponsors are lining up to attend. We

are excited to announce that vendors and participants will be in the Conference Center Carriage House, for displays and cocktail hour.

Save the dates for April 10-11-12, 2025 & see you there. Schedule and Registration at the end of this Bulletin.

Upcoming CAFDA Educational Event for Fire District Officials

WHEN: **Thursday March 13th and Friday March 14th, 2025**

WHAT: Fire District Financial Training, Presented by the NYS-Office of the State Comptroller

WHERE: To be held at Fulton Montgomery Community College, Johnstown, New York

Supported by Mohawk Fire District

Commissioners, Treasurers and Chiefs are cordially invited to attend

More Information to Follow

All correspondence & Capital Area Fire Districts Association Mailing Address should be directed to:

CAFDA PO Box 242 East Schodack, NY 12063 or EMAIL: SECRETARY@CAFDA.NET

Financial issues should be addressed to: TREASURER@CAFDA.NET

THE LATEST FROM THE STATE CAPITAL

Bills are being Introduced for the 2025/26 Legislative Session check the latest ScoreCard and keep up with pending legislation.

Issues of United Concern 2025

- Posted to The CAFDA web site at CAFDA.net

Governor Hochul Unveils Proposals to Support First Responders

- Posted to The CAFDA web site at CAFDA.net

WHEN YOU SEE ** IT'S A RECOMMENDED READ!!

THE LATEST FROM WASHINGTON

Advocacy Quick Tips

- 1) Know your legislator's district/state. Politicians want to know how policy will impact their constituents.
- 2) Have an agenda and prioritize your message points. Time with legislators is extremely valuable.
- 3) Keep your message simple and concise. Focus on delivering your key message points.
- 4) Provide specific examples, data, or anecdotes to support your message. Tell a real story.
- 5) When you don't know the answer to a question, admit it and promise to look into it and get back to them.
- 6) Be a good listener, even if a legislator disagrees with aspects of your position.
- 7) Know specifically what you are asking for on each message point before you go into the meeting.
- 8) Don't move from one message point to the next before making your "ask."
- 9) Take notes so that NVFC staff can follow up on commitments and questions that arise.
- 10) Leave the interview on a high note. Summarize key points in a positive manner.

Congressional Fire Services Caucus Announces Three New Co-Chairs

In the 119th Congress, the Congressional Fire Services Caucus welcomes three new co-chairs! Senators Peters and Klobuchar join Senators Collins and Murkowski as the Senate Co-Chairs. Congressman Larson joins Congressmen Bost, Hoyer, and Fitzpatrick as House Co-Chairs.

The Fire Caucus is among the largest caucuses in Congress. Members join to learn more about supporting their local fire departments and the federal government's role in addressing the needs of our nation's fire and emergency services.

[A list of current members is located on CFSI's website.](#) If your member is not on the list, [ask them to join!](#)

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FIRE DISTRICT FINANCES

Local Government and School Accountability Contact Information:

Phone: (518) 474-4037; Email: localgov@osc.ny.gov

Address: Office of the State Comptroller, Division of Local Government and School Accountability
110 State Street, 12th Floor; Albany, NY 12236

Financial Training by the Office of the State Comptroller – Specifically for Fire District Officials

Thursday March 13 and Friday March 14, 2025 At **Fulton Montgomery Community College**, the Alan House, co-sponsored by Mohawk Fire District, consult our website at CAFDA.net for more information.

Tuesday March 25 and Wednesday March 26, 2025 At **Brighton Fire District, Monroe County**, co-sponsored by the Monroe County Fire District Officer's Association, consult our website at CAFDA.net for more information.

Former Vernon Center Fire Department Treasurer Arrested for Stealing Over \$300,000

A former Treasurer of the Vernon Center Fire Department was arrested for allegedly stealing more than \$300,000 from the department, State Comptroller Thomas P. DiNapoli, Oneida County District Attorney Todd Carville, and the New York State Police announced today. The defendant, Jonnell Rose, was charged with grand larceny in the second degree. "Jonnell Rose allegedly exploited his position of trust to divert money meant to protect his community for his own financial benefit," DiNapoli said. "I thank District Attorney Carville and the New York State Police for their partnership in this investigation."

A joint investigation by DiNapoli's office and the New York State Police found Rose, 51, of Vernon, stole \$309,000 from the department over a six-year period from May 2018 to May 2024.

Rose wrote fire department checks to cash and deposited checks purportedly written to various legitimate fire department vendors into his personal accounts. He also allegedly deposited checks intended for the department into his personal bank account.

A forensic examination revealed that Rose made numerous personal purchases and payments, including crypto currency transactions, credit card payments, and cash withdrawals with the allegedly stolen funds.

Rose was arraigned in Vernon Town Court.

The charges filed in this case are merely accusations, and the defendant is presumed innocent unless and until proven guilty in a court of law.

STEP INTO THE CHIEF'S OFFICE

Are You In Charge, Or Are You In Command?

Trevor Frogde

At some point in a new officer's career (or that of a seasoned firefighter in many cases), they will need to take command. Hopefully by the time of this momentous occasion, they have taken the time to fully understand and appreciate the level of commitment associated with commanding an incident.

The burden of command means you are in charge of the entire operation – the safety of the public and civilians, the safety of your firefighters, plus the strategy, tactics, resources and site security, and so much more. Commanding an incident is a daunting task, and there's a lot to learn to perfect the craft. We all make mistakes along the way, and we learn from those mistakes to be a better incident commander (IC). *But until you fully understand and appreciate the burden of command, you're not 100% ready.*

I learned this the hard way very early in my career.

LITTLE TRAINING, BIG DECISIONS

At my second structure fire ever, as a young firefighter with less than a year on the job, I was riding the right front seat heading to a reported fire. The circumstances of why I was in that seat – staffing models, resources and experience – are moot. It simply was because that was how it was in that organization at the time. *And the same thing is happening in many fire departments across the country – young and inexperienced firefighters are called upon to make critical decisions with very little command training.* I was in that same boat, but being young and naïve, I believed that I knew what I was doing.

I was wrong.

I arrived, performed a size-up and gave my radio report. I rehearsed the radio report several times in my head before I arrived to make sure it sounded good. To my fault, that was the extent of a lot of my command training to that point – just don't sound stupid on the radio. *What I should have been doing was reading the scene, listening for updates, and preparing a game plan for myself and the nozzle firefighter.*

We had nothing showing on arrival. I exited the rig and made my way to the front door of a mobile home where I was met by several adults stating there was smoke inside and that their children were inside as well. I did not do a 360, another major fail. I unlocked the front door with a key provided to me and went inside. No line was pulled to the door, and no smoke was encountered inside. I recall smelling *something* burning but did not understand smells well enough yet; I just knew that I could smell smoke. That would be alarming to me today, but my 19-year-old self quickly dismissed it.

I went to the left and sent my partner to the right to locate the source of smoke. This was a great thing in hindsight as we inadvertently performed a split-search long before I began teaching and preaching on the usefulness of splitting a crew to locate fire and victims when conditions (like these) warrant.

As I went left, I opened the bedroom door and immediately encountered smoke and a glow. I shut the door and began to mask up but did not radio the additional incoming companies about anything. Why would I, I am in command, right? The other units should just magically know what is going on, or they should call me on the radio and ask.

I reopened the door and froze. I was not prepared. In retrospect and after a lot of recalling of this incident, I was in full fight-or-flight mode with adrenaline pumping. Some now refer to it as fight, flight or freeze, and that is exactly what I did – *I froze. Not out of fear or out of panic but simply because my brain was not processing the zero visibility on this bedroom fire. The freeze lasted for just a few seconds as another firefighter informed me “those kids are in that room.”*

I snapped back in and scanned the room with a thermal imager. Because I was “in command,” I knew I must bring the thermal imager. I scanned the room left to right in less than a second and did not read a single thing on the image. Instead, I put the thermal imager down and began a left-handed search in the blind. That was what I was taught to do in fire school, so it must work, right?

Fortunately, the search tactic did work, as I came upon the first child. I initially passed them in the smoke and remember thinking, “Wow, that is weird that there is a CPR mannequin in here.” I found a second child unconscious in a bed and removed her to my partner. I retraced my search pattern and found that CPR mannequin was actually a 3-year-old boy severely burned and sitting in a chair. I pulled him and removed him to the outside – again, zero radio traffic.

The fire itself was contained in the bedroom and extinguished quickly by next-arriving crews. I began life-saving efforts on the kids as I was also a newly certified paramedic with three weeks of experience. I burned my fingertips performing CPR on the boy as my partner, another paramedic graduate with me, began ventilating his 2-year-old sister.

At this point, command was lost by me. Really, it had been lost as soon as the parking brake on the engine was set.

We transported to the hospital where the 3-year-old was pronounced dead. We air-lifted the sister to a trauma center where I'm happy to say she made a full recovery.

GROWING FROM THE EXPERIENCE

While this was a traumatic experience, it also must be understood – by me and everyone who could be in this position – that being in charge and being in command are not the same thing ... and not to be taken lightly. When you're in command, you must lead. I did not know how to do that and had never had any true formalized training in it. *Anyone can occupy a seat and claim to be "in charge." But to be in command, to issue orders and understand the fire, resources and incident priorities are entirely different concepts.* If there is a silver lining to this terrible experience, it is that it drove me to dive deep into command, tactics and search – really all things fire related. *I learned the importance of size-up, reading smoke, building construction, and how to rapidly process information.*

Scene commanders must stay detached and maintain an adequate span of control with proper resources in reserve in order to stay ahead of the incident. Whether the incident is a structure fire, mass-casualty incident or significant vehicle crash, the IC has to stay back to see the bigger picture. I didn't understand that concept; I was simply filling a seat. ICs must also receive progress reports in order to verify that the appropriate tactics are being employed for their overall strategy so that incident objectives are accomplished. Again, those were foreign concepts to me.

Now 17 years later, I work for a different organization and have been a promoted company officer for nearly 5 years. I have run some incidents and responded and commanded companies as a company officer and as a division supervisor numerous time. Many years of experience in busy departments will teach you a lot of things, but that second fire ever will always stay with me.

IMPROVED TRAINING, BETTER OUTCOMES

In a very sad twist of fate, that fire was not the last time I pulled kids from a fire. Just last year, we responded to a fire in an apartment. Similar to that fire years ago, there was nothing showing on arrival; in fact, we would have driven past it had we not spotted a small wisp of smoke. People outside stated that nobody was home. I did not listen to them because my company and I preach an aggressive search culture. Instead, we gained access and began a primary search ahead of the hoseline in zero visibility. This time I scanned slowly with my TIC revealing a very cluttered apartment and a small fire off to my left.

My firefighter and I began searching for bedrooms. We knew the layout because we has taken the time to preplan the apartment layouts in this complex during EMS responses. We've even drilled on fires here because we've had fires in these buildings before. We found the rear bedroom, isolated the door, and ventilated the windows to create lift. I found a Pack 'n Play portable playpen. Immediately I began searching it and cleared it, just toys and stuffed animals. My firefighter searched the rest of the room and closets, all clear.

We moved back toward the front of the house and heard a woman screaming "my kids are in there!" We gained access to a second bedroom and located four kids ranging from 10-months-old to 8-years-old. We quickly extricated all four. I immediately radioed our IC about the four victims and requested additional resources.

We began EMS care in the front yard and passed care off to arriving ambulances and ALS care. I gave mouth to mouth to an infant until I could transfer care. Once that was done, I gathered my firefighter, and we finished the search. We confirmed the apartment was all clear, no fire extension.

FINAL THOUGHTS

We must take this job seriously, as it has very real and very deadly consequences if we don't. Whether you are career or volunteer, promoted or not, if you call yourself a firefighter, prepare for a fire. Expect fire and expect victims – this was a concept I had to learn the hard way. Scene commanders must command and lead the firefighters under their charge in order to maintain communication, orientation and situational awareness. Anything less than that is a failure of your abilities to command. So, do you think you are in charge, or rather, are you in command?

THE ATTORNEY'S OFFICE

****NY Court Rules FD Violated Lieutenant's Rights**

A Suffolk County, New York judge has ruled that the Stony Brook Fire District improperly suspended a volunteer fire lieutenant, and in doing so **violated his statutory right to due process**. Thomas J. Killeen filed suit under a NY law that

allows aggrieved persons to challenge acts or omissions of a governmental entity, an action known as an **Article 78 proceeding**. He also included an allegation of a 42 USC §1983 violation of his due process rights.

Killeen was suspended by the fire chief in 2022. That suspension was extended by the chief to 180 days. **Under NY law, a chief can only suspend a member until the next meeting of the fire Commissioners, who then must decide of further discipline.** Quoting from the decision:

- *Petitioner alleges that he was a lieutenant and member of the Stony Brook Fire Department and on November 20, 2022 he was suspended by the Chief of the Fire Department for alleged misconduct.*
- *The suspension was in place until the next meeting of the Fire Commissioners which was held on December 15, 2022.*
- *The petitioner contends that at this meeting which he did not attend the Fire Commissioners suspended him for 180 days.*
- *By letter dated December 16, 2022 the Chief of the Fire Department notified petitioner of the suspension which would be in effect until May 28, 2023.*
- *Respondents claim that petitioner's suspension was made solely by the Chief of the Fire Department.*
- ***Petitioner's conduct was discussed at the Fire Commissioner's December 15, 2022 meeting in its executive session but no action was taken by the Fire Commissioners other than referring the matter back to the Chief.***
- ***There is no record of the Chief, Fire Department, Fire District or Fire Commissioners filing any charges against the petitioner, providing notice of a hearing or conducting a hearing as provided for in the Department's by-laws or pursuant to statute.***
- *General Municipal Law 209-l(3) states:*
 - *Removals on the ground of incompetence or misconduct, except for absenteeism at fires or meetings, shall be made only after a hearing upon due notice and upon stated charges and with the right to such officer or member to a review pursuant to article seventy-eight of the civil practice law and rules. Such charges shall be in writing and may be made by any such authority. The burden of proving incompetency or misconduct shall be upon the person alleging the same.*
- ***The petitioner's suspension was effectuated without written charges and a hearing, which was in violation of lawful procedure.***
- *Petitioner served his period of suspension and has returned to the Fire Department.*
- *Accordingly, for the foregoing reasons, the Article 78 petition is granted as against the Fire District and Fire Commissioners.*
- *The suspension issued in violation of lawful procedure is null and void.*
- *Furthermore, the Court in considering the Article 78 claims in this proceeding, severs the remaining claims and directs that a proposed preliminary conference order be submitted to the Court within 30 days of the filing of notice of entry of this decision and order.*

With that the court addressed the Article 78 portion of the suit. However, the court has yet to rule on whether there was a §1983 violation, and if so, what the damages would be. The court scheduled further proceedings to consider this constitutional deprivation of rights and to determine what, if any, money damages are due to Killeen.

Killeen, through his attorney Brad Pinsky, has argued that the court should grant money damages to a volunteer firefighter in a case like this, who is deprived of both his statutory and constitutional rights to due process. Part of their reasoning rests on the fact that some courts have ruled that a petitioner only has the right to an award of attorney's fees if the petitioner has actual and/or substantial damages. In the absence of court-ordered attorney's fees, attorneys will be disinclined to handle these constitutional violations, leaving volunteer firefighters unable to achieve justice.

This case is important. If a court fails to award damages to a prevailing firefighter, government entities will be free to take advantage of volunteers by ignoring their due process rights, placing an unreasonable burden on the firefighter to rectify governmental misconduct. At stake is whether the right to due process for volunteer firefighters in New York, will be an empty promise.

In this case, the Killeen's attorney spent well over \$35,000 fighting for the Petitioner's rights. What attorney would spend this much money just to defend the rights of a volunteer firefighter? Well, besides Brad Pinsky that is!

POSITIVE OUTCOMES

Revolutionizing Firefighter Training For High School Grads, Veterans

Linda Willing

There was a time in the not-too-distant past when there was little connection between firefighting and higher education. Firefighters trained for the profession in local academies or on the job. Though there were a few fire science programs available in the 1960s, very few went to college to become firefighters.

All that has changed in a big way. Today, there are more than 900 colleges and universities in the U.S. that offer fire science degree programs, each unique to their area and institution.

An innovative approach to fire science education

One such innovative program is operated through [Valencia College](#), based in Orange County, Florida. A fire science program existed at the institution in the 1970s, but ended in the late 1990s, according to Daniel Diehl, director of fire science and EMS. The current program premiered in 2013 with five full-time staff members, including Diehl, and has only flourished since then.

What makes the Valencia College program unique among some other fire science programs is its cohort model for participants. While many fire science programs focus on providing higher education and degree opportunities for existing firefighters, Valencia decided to take a different approach. Valencia began focusing its fire science program on high school graduates and those recently separated from the military. Modeled after a similar curriculum at Indian River College in Florida, graduates of the two-year Valencia program earn a fire science degree, EMT certification, Firefighter I and II, Inspector I certification and driver/operator certification. Even the general education subjects are geared toward emergency response.

“We ask the [general education] teachers to structure their assignments based on emergency management and the fire service,” Diehl said. “The math teacher tries to give them hydraulic problems. The English teacher has a background in post-traumatic stress. We try to make it as focused on the career as possible.”

Participants in the cohort program apply for one of 30 slots. Once accepted, a second application asks applicants for their motivation and goals for the program and includes an in-person interview as part of the process. For any given cohort group, participants are selected from among 50-60 applicants.

The program is promoted through the college outreach division, which coordinates with local high schools. Representatives attend several career fairs each year and meet with high school counselors at an annual regional conference. Diehl also recently partnered with the Valencia College dean of Arts and Entertainment to produce short video interviews with program graduates who are currently working in the field, highlighting how the Valencia program helped to prepare them for the job, which will be disseminated via social media.

Diehl is also gathering data from fire departments about graduates’ experiences so the program can continue to innovate to meet the needs of students and their future fire departments.

A PERSONAL TRAGEDY FUELS PUSH FOR SAFETY EDUCATION

Diehl has a personal connection to Valencia College. He graduated from that institution with an associate degree in 1974 before he got his first job as a part-time paid-on-call firefighter in Orange County. When he retired from the Atlanta Fire Department after a 28-year career in 2008, an opportunity emerged for him to return to Florida to work with the resurgent fire science program at the college. He has been the director of that program since 2013.

But Diehl’s commitment to higher education goes deeper than that. He originally became a firefighter because he needed a job to support a young family, believing he didn’t need to attend college to fight fires: “The first time I crawled into a burning building, I said to hell with college. This is what I want to do,” he said.

But that attitude changed years later when, as a lieutenant on the Atlanta Fire Department, a colleague and friend was killed in a structural collapse. That event tested his commitment to his profession.

“I prayed about it and I slept on it, and the next day I said, it’s time to go back to college,” he said.

That shift led to his associate degree in fire science, a bachelor’s degree in organizational management and a master’s degree in homeland security. Prior to his friend’s line-of-duty death, Diehl said his primary motivator on the job was

“adrenaline.” But after the loss of his friend, his mission changed to “make sure I went home in the morning in the same condition I got to work, and make sure my crew did too.”

Opportunities to teach just expanded that mission: “I wanted to make sure that everyone I connected with went home after every shift.”

The mission statement of the Valencia College Fire/Rescue Institute highlights innovation as a hallmark of the program, something Diehl values.

“Innovation is how we stay safe and superior,” he said. “If we’re not constantly getting better, we won’t be able to do that. We’re always trying new things.”

FIRE SERVICE CHALLENGES

Multiple Vehicles Damaged after Hose Flies off Virginia Beach, VA, Rig

Susan Nicol

Virginia Beach firefighters were wearing headsets and were unaware the hosebed had emptied.

Several vehicles were damaged by a hose coupling that came off the back of a Virginia Beach fire truck.

After going over multiple speed bumps, the one-and-three-quarter inch hose bundle detached from the bed.

The loose hose got stuck under a parked car’s front tire, and the remaining 400 feet of the hose unraveled, [WAVY](#) reported.

“The hose eventually split at a coupling, causing a recoil effect both toward the engine and back toward the 24th Street turn,” according to a fire department statement.

Julia DeMoss’ car was parked on the side of the street, and when she came out, she was shocked by the damage.

“I realized it was totally smashed,” DeMoss said.

The firefighters were wearing headsets, and the truck windows were rolled up, preventing them from hearing the incident. No one was aware the hose had deployed because it was dark.

DeMoss said her car is totaled. While the city verbally gave the OK to get a rental vehicle, officials would not put it in writing.

The city's risk manager is investigating. But, city officials have not returned the calls from the media.

Fortunately, there were no injuries.

+ FF HEALTH AND SAFETY – TAKING CARE OF OUR MEMBERS!

IN 2025 WE HAVE EXPERIENCED 7 FIRE FIGHTER LODD'S

*According to FirefighterCloseCalls.com**

In 2024 we experienced 64 LODDs reported nationally.!

DOES'NT HAVE TO BE A FATALITY-JUST A DIBILITATING INJURY, YOU JUST NEVER KNOW!

- Kings County California fire captain Mark Eads, 62 died after suffering a medical emergency at the scene of a residential fire..
- A recruit collapsed at the Massachusetts Firefighting Academy on January 29, 2025 during a live burn training. Lynn Fire Department Lieutenant Joel Abreu was participating in the training when he noticed a recruit exiting the burn building in an unsteady manner, Lynn Fire Chief Daniel Sullivan said in a news release commending Abreu for his response. Seeing the recruit struggling, Abreu called for a defibrillator and went to aid the recruit, who went into cardiac arrest. With assistance from two other staff members, Abreu used the defibrillator and CPR to revive the recruit, who regained consciousness.
- Fire truck rollover leads to three injured firefighters for the Silverton West Virginia VFD. With the ground next to the road being saturated, the truck sunk into the mud and continued to slide until it landed on its side. There were non-life-threatening injuries. But all were transported from the scene.

BUILDING CODE ISSUES AND REPORTED FIRE FATALITIES

If we had sprinklers in 1 & 2 family homes by now the death toll of 700+ would be a hell of a lot less and fewer firefighters would be injured. But because builders and realtors make big contributions to politicians, sprinklers have been negotiated out of the Code!!

An awfully expensive price to pay to save money. Stop the carnage, install residential sprinklers.

Residential sprinklers are a component of the plumbing system, with approximately 1 head per room. The purpose of residential sprinklers is to allow time for the occupants to escape. Residential sprinklers are designed for quick response and only one at the most two heads may be triggered. With residential sprinklers present, the civilian death rate is 89% LOWER. Residential sprinklers will assist responding firefighters to do their jobs and save firefighters lives also, especially since everyone is short staffed!!

CHIEFS NEED TO SPEAK UP: Our fire problem would not be as bad if there were residential sprinklers!!

HOME FIRE FATALITIES REPORTED BY THE MEDIA FROM THE US FIRE ADMINISTRATION FOR 2025	
Fire Deaths in 1&2 Family Dwellings in NYS	7
Last fire death 2/6/25 Colonie, Albany, Co. Under Investigation	
Fire Deaths in any type of Dwelling in NYS	20
Fire Deaths in 1&2 Family Dwellings Nationally	128
Top 3 States with the greatest 1&2 Family Deaths	#1 TX/13
	#2 PA/12
	#3 CA/10
Civilian home fire fatalities in 2025: 266 2046 civilian home fire fatalities in 2024	
Week 6 of 2025, fire has claimed on an average 29.5 lives PER WEEK, perhaps OSHA should examine that death toll.	
Both the states of Maryland and California as well as Wash. DC require sprinklers in 1&2 family dwellings.	

After Fire, Harrisburg, PA, Chief Sounds Alarm on Illegal Boarding Houses

Susan Nicol

Harrisburg Fire Chief Brian Enterline is sounding the alarm on illegal boarding houses following a fire this past weekend. "There's no one particular area of the city that we can say isn't affected by boarding houses," he told [WGAL](#), adding that firefighters encounter them on a weekly basis.

They easily fly under the radar for many reasons and often stay undiscovered until there's an emergency.

That was the case Sunday night, when firefighters who responded to a row house fire on South 14th Street and found *at least 15 people living inside a modified building with makeshift walls, extra padlocks and blocked exits.*

"The house wasn't designed for that. So, that puts a strain on all the systems. There's not enough personnel to go around, number one, to weed them all out. And number two to continuously follow up time and time again on those same properties, unfortunately."

Although the home is condemned, the chief was quick to add that it doesn't always fix the problem. Under Pennsylvania law, condemnations don't stay with the property, so a new owner can buy the house and continue boarding operations.

****Shelter in Place vs. Evacuate: Tactical Considerations**

Does your fire district have multiple dwelling buildings?

Matthew Trudeau

The tragic fire at Grenfell Tower in 2017 brought up a lot of important conversations about building evacuation, especially around shelter in place vs. evacuate. The fire, which claimed 72 lives, brought into question many fire and life safety considerations, including keeping people in place and the severe consequences if the building can no longer protect occupants in a fire. While this specific building configuration and the systems inside are different from high-rises in Canada and the United States, these lessons carry over to all building types. *Whether to shelter in place or evacuate is a vital consideration for officers in command of a fire scene.*

The difficult decision of whether an incident commander (IC) decides to keep occupants inside a structure or evacuate can fundamentally change the outcome for many people and the entire incident action plan (IAP) and have significant consequences.

Leaving occupants to shelter in place relies on the IAP working, enough staff to make it happen, building services operating, and sometimes luck. Evacuating a large building with hundreds or thousands of people is a large endeavor, taking a lot of resources away from fire suppression and other fireground tasks.

Unlike the United Kingdom, the building code and building's life safety system operate differently in the United States and Canada—they are much more robust and contain more redundancies overall. Many codes in Canada, for example, have specific provisions around exterior cladding and its fire resistance to prevent exterior flame spread and limit combustibles as well as stricter exit requirements for residential and high buildings.

A fundamental understanding of the intent of fire and life safety systems can provide clarity for ICs on what the building is trying to achieve:

- Notifying all occupants of a problem: notification by fire alarm system, water motor gong flow, and smoke alarms.
- Getting occupants away from the problem: exiting, means of egress, and minimum number of exits and fire escapes.
- Giving occupants time to get away from the problem: fire resistance ratings, maximum occupant loads, available time to evacuate vs. required time to evacuate, fire separations, sprinkler systems, compartmentalization, and smoke control systems.

To further increase the safety of these systems, redundancy is built into each of them. Multiple systems are in place to help people be aware of fire conditions, such as fire alarm and voice notification systems. The multiple interconnected systems that make up a fire alarm also have redundancies in how they are wired, protected, and backed up in case of a power loss; monitoring heat, smoke, water flow, ignition, and spark; and monitoring all its circuits for grounds, opens, and short circuits.

Many tragic events have occurred where only a single exit was available for egress during a fire. In Canada, for each increasing number of people inside a building, a minimum number of exits is required by the building code to ensure adequate exiting: One exit is required for up to 60 people inside assembly occupancies, two exits for 61-300 people, three exits for 301-1,000 people, and so on. Each exit has specific requirements for hardware, travel distance, width, and slope.

Giving occupants time to get out is an important consideration for those who can, which is an important distinction. *There is a specific occupant group made for those people who can't evacuate for numerous reasons. Door closures, fire resistance ratings, fire separations, sprinklers, travel distance, occupancy limits, and flame spread ratings are all to limit smoke and flame spread so that people have time to evacuate or be rescued by firefighters.*

The question for an IC is when to keep people where they are and when to force an evacuation. The most direct answer is when the fire grows past designed levels. What does that mean? What does that look like? How do you know what the building is capable of protecting? What size fire is too big?

An evacuation can mean many things depending on the building type and classification. The general definition is moving people from a direct hazard cause by heat, smoke, and fire to outside the building to a municipal roadway. There are many cases where this isn't possible. Codes take this into consideration to evacuate persons to the next best available option.

Engineers will design spaces and floor areas for the fire risk and hazard of the intended use. For a large open office space, a fuel load, a designed sprinkler area, an exiting plan, and other factors will be determined to be expected in that area, with a built-in safety margin. A fire size will be predicted to occur within this area in megawatts, with a safety margin, to try and protect occupants of this fire size and contain it to the area of origin.

To further complicate things, this changes for each occupancy, building, and age of the building. Fire resistance ratings, sprinkler systems, and fire separations have prescribed fires that the assemblies are required to withstand under certain conditions for a certain time based on code requirements of that building code year. Over time, those have changed to accommodate increased risk, major fires and deaths, or changes in how we use spaces.

The intent of this engineering strategy is to predict fire behavior patterns under "normal" conditions that would occur most often, plus the addition of a safety margin. Numerous factors can severely impact this original design criteria, including the following:

- Changes to the occupancy without a permit (changing an office to twice the occupants and desks).
- Changes of use (changing the office to a nightclub).
- Changes in fire dynamics (changing wood desks to synthetic material, wind-driven fires, increased stacking effect from winter/cold).
- Lack of maintenance of fire protection systems, fire separations, exits, etc.
- Other: arson, vehicle into a building.

Many code references give time durations for fire separations: between occupancies, between floor levels, and door assemblies and materials. These ratings can vary from 20 minutes to four hours, depending on the assembly and requirement. While these numbers can be helpful, ICs should use them with caution and discretion, as there are many limitations. While these provide a minimum time threshold, it is only for very specific conditions, duration, and test methodology in laboratory conditions.

The duration given should not be a time stamp but rather an overall gauge of potential. A 30-minute door may fail earlier if it hasn't been maintained, the heat and fire are outside of its test standard, or it's simply not matching the perfect test standard in which it was tested against. It may last 10 minutes, it may last an hour.

A two-hour fire separation could be a solid concrete floor, a heavy timber assembly, an engineered wood assembly of varying dimensions, or standard wood construction with the addition of sprinklers on both sides. Does this mean that firefighters will be safe for two hours? Not exactly, no, because of the following:

- Fire resistance ratings are measured using various techniques including cone calorimetry and Steiner tunnel testing for flame spread.
- Sprinkler systems are designed for a specific hazard, for a certain flow and pressure, and for a specified maximum number of sprinkler heads activating at once.
- Fire separations must meet minimum duration and requirements to be a rated assembly when tested to ASTM E119 fire testing. These are all under prescribed conditions in a lab or long-standing testing methodology dating back to the early 1900s.
- These minimum test standards ensure minimum overall standards but won't accurately tell an officer outside a fire that the floor will last one hour in a Type III building.

These historic test methods, some more than 100 years old, have shaped buildings, the materials, and how we occupy buildings for as many years.

A wide range of alternative compliance solutions have been in place for decades around the world. The mindset is being integrated into North American building design. One example is when an engineer proposes a change to a building code, changing the prescribed intent with another method. This could be replacing a two-hour fire separation with a one-hour separation and a sprinkler system to "make up" two hours. When these solutions become commonplace, they are adopted as standard requirements. These alternative compliance solutions can take vastly different forms and building changes.

Very subtle changes like the two-hour fire separation example can extend up to substantial building changes. To bypass concrete high-rise construction methods, an 18-story residential building was built in 2016 using timber construction, which never was used before in Canada at this height. Many alternative solutions were employed to satisfy the intent of the building code with different materials, tools, and compliance solutions.

ICs aren't expected to know the design criteria of buildings, potential alternative solutions, or duration of fire separations for each structure. There are significant signs that ICs can notice while on the fire scene to give them the information they need to make decisions.

Questions the IC should ask follow:

- Is the fire being contained to a single fire compartment and not breaching a fire separation?
- Is the building sprinklered, and are the sprinklers effective?
- Is the building noncombustible?
- Is there a modern fire alarm system with voice communication and smoke control?
- Has an adequate water supply been established and put in place?
- Has the fire been burning for less than 20 minutes?
- Is the tactical plan established by the IC working and effective?

If the answers to these questions are all "yes," then the fire is going well. The building, its systems, and the IC's tactical plan are working and effective. Generally speaking, a building is very good at protecting occupants when the fire is in a single fire compartment on a single floor in a noncombustible and sprinklered building. This is the ideal scenario.

When approaching a building with decreasing levels of fire and life safety systems in its original design, the IC should start looking at ways these systems will fail. An old building, combustible construction, questionable maintenance, no sprinklers, a high-rise, no firefighter elevators, manual standpipes, an elderly population, and an old fire alarm system should change the response, tactical plan, and even alarm level to the building. This type of worst-case scenario needs more firefighters, and plans should be in place when this fire extends to multiple floors and numerous rescues are needed.

The IC should immediately have a backup plan in case things deteriorate for each fire or if the original plan isn't working. If there are multiple "no" answers to the questions above, the fire may be starting to overwhelm the building and its ability to contain a fire.

While there are no hard and fast rules about when to order an evacuation, having multiple systems fail or not containing a fire should signal that the plan isn't working and this fire may keep getting worse. A fire on the eighth story of a building might have an evacuation of the building alarm for floors 6-10 and an alert for the rest of the building, or this may signal for a full-scale building evacuation automatically, depending on the fire alarm system. This single-stage or two-stage sequence evacuation is an important consideration if people remain inside a building.

Evacuating hundreds of people creates its own challenges in getting them out. Is this a seniors building? Are the HVAC systems pressurizing the stairwells keeping the means of egress clear? Have fire operations used both stairwells for fire attack? Can people on the upper floors be evacuated safely? Is there enough staffing on scene to facilitate this? Consider the building, the fire conditions, the occupancy, the egress route, and the resources before attempting a full-scale evacuation.

A full-scale evacuation in a three-story building with 50 people in the middle of summer in an average apartment complex can take place right away because there are no mobility concerns, exit concerns, or additional challenges associated with it. Get everyone out and focus efforts on fire attack and containment.

An incredibly helpful component when faced with a full-scale evacuation is the voice communication system integrated with modern fire alarms systems, if available at a building. The ability to select and page individual floors or the whole building and know the floor layout with exit locations can provide crucial information to occupants of large buildings to give them details on where to go and how to evacuate.

Where these systems are not in place, evacuations are done based on risk and resources available. Units directly impacting the fire area should be prioritized to get people out of the structure by interior or exterior means. Units sharing a common wall with a fire unit should be prioritized based on fire growth or smoke conditions. The next immediate consideration would be the fire floor, two floors above, and two floors below. The sequencing of evacuating these five floors and sending alert tones to the rest of the building is built into many new buildings. Get the people at the highest risk away from the fire and let the remaining people stand by for more instructions.

One Unique Consideration

Care facilities offer a unique set of challenges to overcome during a fire. Many terrible tragedies occurred through the 1970s, 1980s, and 1990s, requiring all care facilities and B occupancies (National Building Code of Canada) to be noncombustible and sprinklered. The major reason is the restriction in evacuation of occupants who are simply not able to leave. They could be immobile in a hospital bed, a prisoner in a jail, or without the mental capacity to leave and institutionalized. Overall, B occupancies are the following:

- Detention: jails, prisons, and holding cells.
- Care: homes for the elderly with restricted mobility and care aids, recovery centers, laboratories, and clinics with incapacitated persons.
- Treatment: hospitals, offices with same-day surgery and recovery.

Care facilities including hospitals or anywhere people are housed where they are reliant on others for their care and well-being are designed to keep them there as long as possible with the least amount of movement.

Hospitals especially don't want to fully evacuate. The intent is always to horizontally evacuate people to the next fire compartment as the staff needed to completely remove all occupants would be overwhelmed. A single person in a hospital bed may require numerous people to move based on the medical condition. This is the reason all care facilities are required to be of noncombustible construction and be sprinklered to limit and contain fires as much as possible due to people not being able to evacuate normally. Each care facility will have trained staff and a fire safety plan they are required to follow during certain emergencies. Jails, while noncombustible, still have evacuation plans to first contain the fire and then evacuate inmates to another holding area inside or outside and progressively farther away from the fire in a courtyard or holding area.

While there may be unique and one-off situations, the intent around a shelter in place vs. evacuation order remains the same for the IC. Is the current IAP working in containing and limiting the progress of the fire or are the conditions continuing to deteriorate? Is the fire getting better or worse? Are there multiple "no" answers, making the conditions worse? Are resources becoming overwhelmed on scene? When things are going bad, it's time to resort to basics:

- Notify occupants to get out and where to go.
- Give them a way out: ladder, aerial, stairwell, means of egress.
- Give them time to get out: protect means of egress and exits with water, close stairwell doors to prevent smoke migration, pressurize means of egress, and provide additional rescue teams to people who need assistance.

The considerations discussed here mostly focus on the building, code requirements, and how those two become affected in a fire. This doesn't take into consideration human factors, the people inside the building and fire crews fighting the fire. Two different departments, both going to an identical fire, may have two different outcomes based on staffing, experience, resources, and tactics. A small department with mutual aid coming from a significant distance and with only a few trucks on scene might have the best option to contain the fire as they evacuate as many people as possible. A large, fully staffed urban department might have the significant resources to make an aggressive fire attack, keep people where they are, and contain the fire. Same fire, different strategy.

There are no hard and fast rules to complex situations where lives are on the line. Unfortunately, the right decision will be known only after the event is over. The IC will resort to his level of training and experience under extreme stress and make difficult decisions that benefit the greatest number of occupants inside.

GREEN TECHNOLOGY & THE FIRE SERVICE

Nothing destroyed this week, that we know of.

FIRE SERVICE EDUCATION SO THAT OTHERS MAY LEARN

FASNY RECRUIT NY 2025

From 1998 to 2021, New York's volunteer firefighter numbers dropped 32%, while calls increased 29%. You can help reverse this trend by joining RecruitNY, April 26-27, 2025, as fire departments statewide open their doors to recruit the next generation of volunteers.

Departments have added thousands of members through this initiative, and FASNY offers a wealth of resources to help you promote your event.

Ignite the passion to serve

Get your firehouse to open its doors and register early for a chance to win great prizes to help engage your community.

>>> Register by February 22, 2025 for a chance to win \$500 in social media advertising.

>>> Register by March 31, 2025 for a chance to win a custom RecruitNY banner & digital flyer.

>>> Register by April 19, 2025 for a chance to win up to \$250 for RecruitNY weekend expenses.

Early registrants are entered into all raffles for multiple chances to win.

REGISTER AT THIS LINK:

<https://www.recruitny.org/register-for-recruitny-2025/>

NATIONAL VOLUNTEER FIRE COUNCIL

TRAINING TIMES

COURSES

WEBINARS

EVENTS

Webinar - Essentials of Volunteer Retention & Recruitment

Thursday, Feb. 13 at 2pm ET

Presenter: Tom Merrill

REGISTER AT THIS LINK:

https://us06web.zoom.us/webinar/register/WN_VHqUYcZbRGKOy0SJ8K2Atw#/registration

Roundtable Talk - Safety in Action: Educating Drivers on Emergency Scene Awareness

Feb. 27 at 1pm ET

Presenters:

Jack Sullivan, Todd Leiss, Joel Feldman, and Joe Tebo

REGISTER AT THIS LINK:

https://us06web.zoom.us/webinar/register/WN_NiRAuc7fTe6i2ravvaqHkA#/registration



2025 Seminar Series, Short-Handed Firefighting

34 years ago, this class was developed by Firefighter Andrew A. Fredericks. At that time, the fire service was starting to suffer from a shortage of members, especially but not limited to the volunteer ranks. Today, as we all know, departments across the nation have experienced a large drop-off in membership. With today's hotter, faster-moving fires, it is imperative that we get on the road ASAP and are ready to mount an aggressive interior attack – especially where life-saving attempts must be carried out. This class will look at new apparatus and equipment designed to make our jobs less labor-intensive. In many places, where it used to take one or maybe two departments to handle the job at a single-family residence, now up to six departments are necessary due our diminished ranks. We must protect our residents and, just as important, our members and make sure everyone goes home.

Mike Healy has been a member of the Rockland County fire service for 54 years, serving with the Blauvelt F.D. for 14 years, followed by the Central Nyack F.D. for 40 years. He has served as a chief for three terms. Healy is currently the coordinator of education for the Rockland County Fire Training Center. **Jeff Daniels** is a 23-year fire service veteran. He served with the Air National Guard as a crash rescue firefighter for 17 years and was a member of the

West Haverstraw Volunteer F.D. for 14 years. In 2002, he was hired as a NYS DMNA firefighter and served for over four years before being appointed to the FDNY. Daniels was assigned to Ladder Co. 39 for 12 years and was later an instructor for the FDNY Fire Academy. Currently, he is a member of Squad 61. He also teaches at the Rockland County Fire Training Center.

Coming to These Counties in 2025 (7:00 p.m. Starting Time):

- Albany (February 24)** • Cortland (October 28) • Erie (October 8) • **Fulton (September 9)** • **Herkimer (April 14)**
• Jefferson (October 15) • Monroe (September 30) • Nassau (November 5) • Niagara (March 12)
• Oneida (September 24) • Onondaga (February 18) • Orange (April 29) • Otsego (September 15)
• **Rensselaer (October 20)** • Rockland (April 23) • St. Lawrence (March 24) • Steuben (February 12) • Suffolk (April 2)
• Westchester (September 3) • Wyoming (March 4)

\$35 – NYSAFC members • \$50 – non-members (per person)

REGISTER AT THIS LINK: <https://www.nysfirechiefs.com/2025seminarseries>

Save The Date: 1st Annual FASNY Training & Educational Weekend

May, Friday the 16th through Sunday May 18th, 2025

Fort William Henry , Lake George, NY

An array of Speakers on many subjects including Chief Tom Richardson, Chief Tom Basher, D/C Tim Cowan, Brian McQueen, Chief Stefano Napolitano, Chief Doug Cline, Chief Justin Bailey and Ed Mann..

More information at the following LINK: <https://fasny.com/training/1st-annual-firetraining-symposium/>



ASSOCIATION OF FIRE DISTRICTS OF THE STATE OF NEW YORK

Coming Attractions:

- Mini Summit in White Plains, Sonesta Hotel, **Friday March 28 & Saturday 29 2025**
- **October 2-4, 2025, Thursday - Saturday**, Annual Meeting and Vendor Expo at the Saratoga Hilton and City Center, Saratoga Springs
- **October 8-10, 2026**, Annual Meeting and Vendor Expo at the Saratoga Hilton and City Center, Saratoga Springs



Regional Hands-On Training – Fire Behavior From the Outside

Two-Hour Program Overview

Understanding fire behavior and building construction as it relates to the fire service is arguably the most important aspect of our job. In this program, firefighters will observe changes in fire behavior from the outside while typical fireground actions are simulated. Firefighters will recognize the vast difference in fire dynamics with the synthetic

fuels used in homes today versus the fuel the fire service is using in training towers. This two-hour training includes a classroom presentation, followed by an interactive demonstration using a 10-square-foot dollhouse prop. The unit provides a safe, inexpensive way to discuss fireground strategies/tactics to improve firefighter safety and victim survivability.

Course Prerequisites (or Equivalent)

None

PPE Requirements

None. Members of the fire suppression team designated by the host agency must wear OSHA compliant full PPE with SCBA.

UPCOMING PROGRAMS:

Programs are open to host organization's members and invited guests only.

Monday March 3, 2025 – 7:30 p.m.

Rockland County

Host: Hillcrest Fire Company/Moleston Fire District

Monday April 28, 2025 – 7:00 p.m.

Sullivan County

Host: Roscoe Rockland Fire Department

How to Host a Program in Your Region

Complete and submit a [Regional Hands-On Training – Fire Behavior From the Outside Request Form](#), which outlines all host responsibilities. This course can be delivered on any day of the week at any time and is ideal for a fire department drill. Training will be provided in New York state only. Programs will be scheduled throughout the year based on availability of NYSAFC instructors. [Email](#) NYSAFC with questions regarding Hands-On Training.



NATIONAL VOLUNTEER FIRE COUNCIL – TRAINING TIMES – COURSES/WEBINARS/EVENTS

LINK TO THE VIRTUAL CLASSROOM: https://virtualclassroom.nvfc.org/featured_courses

HAPPEN'N IN THE NEIGHBORHOOD

Gansevoort Fire Department Breakfast

Sunday **February 16th** at the Gansevoort Fire Station 1870 Route 32N, Gansevoort, NY

ALL YOU CAN EAT BUFFET! , Eggs made to order, omelets, pancakes, French Toast, scrambled eggs, bacon, sausage, biscuits with sausage and gravy, Fried Potatoes, toast, cereal, milk, coffee and orange juice. \$12 adults, \$10 seniors & military, \$8 children 6-12.

ALSO: March 16th, April 20th, May 18th, and June 15th. The fire company thanks you for your support!!

Clifton Park Fire Department Breakfast

All You Can Eat: Sunday **April 6, 2025** from 8 til 11:30, all you can eat, eggs, bacon, toast, sausage, pancakes, OJ, Coffee, Hot Chocolate \$10 adults, \$6 children 6-13, Guest Appearance by the Easter Bunny

LAUGH OUT LOUD!!

The Laws of Life:

Variation Law - If you change lines (or traffic lanes), the one you were in will always move faster than the one you are in now

CAFDA OFFICERS AND DIRECTORS

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The Capital Area Association represents any fire district that wishes to join CAFDA. Fire District Officials include Commissioners, Treasurers, and Deputy Treasurers. Secretaries and Chiefs are also invited to participate!

Please advise your secretaries that all correspondence should be mailed to:

CAFDA PO Box 242 East Schodack, NY 12063

[EMAIL TREASURER: TREASURER@CAFDA.NET](mailto:TREASURER@CAFDA.NET)

[518-407-5020](tel:518-407-5020)

[EMAIL SECRETARY: SECRETARY@CAFDA.NET](mailto:SECRETARY@CAFDA.NET)

Long Way to Travel? Zoom into the General Membership Meetings!

It's our desire that every member fire district have the opportunity to attend Capital Area meetings. We know we cover a large area, in 8 counties and beyond, and wish to give all of our members a chance to participate in the general membership meetings. You have a voice, and we would like to hear it. Join us at our next meeting either in person or via Zoom. The link will be sent via constant contact prior to each general membership meeting. Thank you for being a member and we hope you will join us.

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.CAFDA.net

CAPITAL AREA BUSINESS PARTNER'S

½ Tables available at no charge at Workshop '24, Sat November 2nd at Verdoj, FD

Business Partner Applications Available At: WWW.CAFDA.NET

We invite our business partners to submit educational information to be included in this Bulletin for district commissioners and chief officers
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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12211

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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.

YOU CAN BECOME A MEMBER OF CAFDA!

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 CAFDA.NET website.

Individual membership fee will be \$50 annually, fire district association fees will be \$300 annually.

Download THE APPLICATION available on the home page at CAFDA.NET

MEMBERSHIP IN THE CAPITAL AREA FIRE DISTRICTS ASSOCIATION (CAFDA)

Would you like to join Capital Area Fire Districts Association along with 76 members in 10 counties? Individuals, fire district associations, fire protection districts and Village departments are all eligible for membership.

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

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

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

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

\$600,001 plus: \$300

Individuals \$50.00 or Other County or Regional Associations \$300 annually.

Business Partners: \$100.00 annual member fee

If You, Your Fire District or Department is not a Member of CAFDA You Can be?

Individuals can be members of CAFDA. The annual membership fee is \$50, which will provide you access to this Bulletin, attendance at meetings and social gatherings. Provides networking with other fire district officials and a source of the constant barrage of information related to today's fire service.

FOR A MEMBERSHIP APPLICATION OR A BUSINESS PARTNER APPLICATION GO TO THE FOLLOWING LINK:

<https://cafda.net/membership-info/>

CAPITAL AREA FIRE DISTRICTS ASSOCIATION

SAVE THE DATES!

CAFDA has been busy, and 2025 is shaping up to be a great year!

COMMISSIONER TRAINING

AVERILL PARK FIRE DISTRICT	Saturday, February 1, 2025	Snow Date: Sunday, February 2, 2025
CLIFTON PARK FIRE DISTRICT	Saturday, March 1, 2025	Snow Date: Sunday, March 2, 2025
BERKSHIRE FIRE DISTRICT	Saturday, March 29, 2025	Snow Date: Sunday, March 30, 2025
WARRENSBURG FIRE DISTRICT	Saturday, April 5, 2025	Snow Date: Sunday, April 6, 2025

OTHER TRAINING OPPORTUNITIES

FINANCIAL TRAINING FOR FIRE DISTRICT OFFICIALS	Fulton-Montgomery Community College 2025 2805 State Hgwy. 67, Johnstown	Thurs-Fri. March 13-14,
FINANCIAL TRAINING FOR FIRE DISTRICT OFFICIALS	Brighton Fire District 2025 3100 East Avenue, Rochester	Tues-Wed. March 25-26,
CAFDA CONFERENCE	Fort William Henry Hotel & 2025 Conference Center, Lake George	Thurs-Sat. April 10-12,

ANNUAL FALL WORKSHOPVerdoy Fire District
2025 988 Troy-Schenectady Road, Latham

Saturday, November 1,

SOCIAL EVENTS**OFFICER INSTALLATION DINNER**

Century House, Latham

Saturday, March 8, 2025

DAY AT THE RACES!

Saratoga Race Course, Saratoga Springs

Friday, August 8, 2025

MEETINGS – CLIFTON PARK FIRE DISTRICT & ZOOM**General Membership Meeting**

Saturday, January 4, 2025

General Membership Meeting

Thursday, February 13, 2025

General Membership Meeting

Thursday, March 6, 2025

Board of Directors Meeting

Thursday, April 3, 2025

General Membership Meeting

Thursday, May 8, 2025

General Membership Meeting

Thursday, June 12, 2025

Board of Directors Meeting

Thursday, August 14, 2025

General Membership Meeting

Thursday, September 11, 2025

General Membership Meeting

Thursday, October 9, 2025

General Membership Meeting

Thursday, November 13, 2025

**FOR MORE REGISTRATION INFORMATION****Website****www.CAFDA.net**



FINANCIAL TRAINING FOR FIRE DISTRICT OFFICIALS

**THURSDAY, MARCH 13 -
FRIDAY MARCH 14, 2025**

BACK BY POPULAR DEMAND!

CAFDA, together with our friends from Mohawk Fire District, are again partnering with the Office of the State Comptroller (OSC) to bring you this Fire District focused event!

Topics to Include:

- Duties/Responsibilities of Fire District Officials
- Governmental Accounting Overview
- Policies & Procedures
- Understanding Financial Reports
- Multi-Year Capital/Financial Planning & Budgeting
- Fraud Prevention & Detection
- AFR and Common Filing Errors
- Common OSC Audit Findings
- Municipal Accounting Software
- Q&A with the OSC Staff

**This Training is Not Just for
Fire District Treasurers!**

***ALL COMMISSIONERS and
OFFICERS are INVITED and
ENCOURAGED to ATTEND!***

**Join OSC Thursday after the
last session for a social mixer,
great conversation & lite fare!**

**Take Advantage of this Unique
Opportunity to ask OSC Questions!!!**

Event Location:

Allen House located at
Fulton-Montgomery Community College
2805 State Highway 67, Johnstown

Conveniently located approx. 8 miles off
Exits 27 or 28 of the NYS Thruway

Need Overnight Accommodations?

Holiday Inn

308 N. Comrie Ave., Johnstown

Reservations: 1-800-HOLIDAY

or Direct at 518-762-4686

Group Code: FDO

Block Name: CAFDA Fire District
Officials Training

CAFDA

P.O. Box 242

East Schodack, NY 12063

www.CAFDA.net

Secretary@CAFDA.net



FINANCIAL TRAINING FOR FIRE DISTRICT OFFICIALS

**TUESDAY, MARCH 25 -
WEDNESDAY MARCH 26, 2025**

ADDITIONAL OPPORTUNITY!

Join CAFDA and our friends from Monroe County and Brighton Fire District for a second chance at Financial Training with the Office of the State Comptroller (OSC)!

Topics to Include:

- Duties/Responsibilities of Fire District Officials
- Governmental Accounting Overview
- Policies & Procedures
- Understanding Financial Reports
- Multi-Year Capital/Financial Planning & Budgeting
- Fraud Prevention & Detection
- AFR and Common Filing Errors
- Common OSC Audit Findings
- Municipal Accounting Software
- Q&A with the OSC Staff

**This Training is Not Just for
Fire District Treasurers!**

***ALL COMMISSIONERS and
OFFICERS are INVITED and
ENCOURAGED to ATTEND!***

**Join OSC Tuesday after the
last session for a social
mixer, great conversation &
lite fare!**

**Take Advantage of this Unique
Opportunity to ask OSC
Questions!!!**

Event Location:

Brighton Fire District
3100 East Avenue
Rochester, NY 14610

Need Overnight Accommodations?

Hampton Inn, Rochester-Penfield
950 Panorama Trail S., Rochester
Reservations: by phone 585-249-0601
or online at:

<https://www.hilton.com/en/book/reservation/rooms/?cityhocr=ROCPNHX&arrivalDate=2025-03-24&departureDate=2025-03-26&groupCode=CHH902&room1NumAdults=1&cid=OM%2CWW%2CHILTONLINK%2CEN%2CDirectLink>

(ENTIRE URL must be copied/pasted to work properly)

CAFDA

P.O. Box 242
East Schodack, NY 12063
www.CAFDA.net
Secretary@CAFDA.net

CAFDA Conference Attendee Registration Form

Please complete & return this form with your check made payable to:

CAFDA
P.O. Box 242
East Schodack, NY 12063

OR pay by credit card at: <https://cafda.net/event-registration/>

For payment inquiries, please contact Treasurer@cafda.net



Conference Attendee

Name/Title: _____

Fire Organization Name: _____

Address: _____

Phone: _____ Email: _____

Are you or your organization a member of CAFDA? YES NO

Attendee Conference Registration (Check One):

- One Day Registration:** CAFDA Member \$75 Non-Member \$95
I will be attending (Choose one): Thursday Friday Saturday
(includes continental breakfast & lunch, Friday Night Welcome Reception if attending Friday)
- Two Day Registration:** CAFDA Member \$150 Non-Member \$190
I will be attending (Choose two): Thursday Friday Saturday
(includes continental breakfast & lunch x 2 days, Friday Night Welcome Reception if attending Friday)
- Full Conference Registration:** CAFDA Member \$150 Non-Member \$200
Thursday 4/25 – Saturday 4/27/2024 (includes continental breakfast & lunch x 3 days, Friday Night Welcome Reception)

Guest Meal Registration, if applicable (Check One):

Guest Name: _____

- \$25 One Day Meals:** I will be attending (Choose one): Thursday Friday Saturday
(includes continental breakfast & lunch, Friday Night Welcome Reception if attending Friday)
- \$50 Two Day Meals:** I will be attending (Choose two): Thursday Friday Saturday
(includes continental breakfast & lunch x 2 days, Friday Night Welcome Reception if attending Friday)
- \$50 Three Day Meals:** Thursday 4/25 – Saturday 4/27/2024
(includes continental breakfast & lunch x 3 days, Friday Night Welcome Reception)

Conference Attendee

Name/Title: _____

Fire Organization Name: _____

Address: _____

Phone: _____ Email: _____

Are you or your organization a member of CAFDA? YES NO

Attendee Conference Registration (Check One):

One Day Registration: CAFDA Member **\$85** Non-Member **\$105**

I will be attending (Choose one): Thursday Friday Saturday

(includes meals as noted in schedule & Friday Vendor Show/Cocktail Reception if attending Friday)

Two Day Registration: CAFDA Member **\$170** Non-Member **\$210**

I will be attending (Choose two): Thursday Friday Saturday

(includes meals as noted in schedule & Friday Vendor Show/Cocktail Reception if attending Friday)

Full Conference Registration: CAFDA Member **\$170** Non-Member **\$210**

Thursday 4/10 – Saturday 4/12/2025

(includes meals as noted in schedule & Friday Vendor Show/Cocktail Reception if attending Friday)

Guest Meal Registration, if applicable (Check One):

Guest Name: _____

\$30 One Day Meals: I will be attending (Choose one): Thursday Friday Saturday

(includes meals as noted in schedule & Friday Vendor Show/Cocktail Reception if attending Friday)

\$60 Two Day Meals: I will be attending (Choose two): Thursday Friday Saturday

(includes meals as noted in schedule & Friday Vendor Show/Cocktail Reception if attending Friday)

\$60 Three Day Meals: Thursday 4/10 – Saturday 4/12/2024

(includes

OSHA INFORMATION SUPPLEMENT

PROVIDED AS A SERVICE FROM THE CAPITAL AREA FIRE DISTRICT'S
ASSOCIATION - CAFDA

NEWEST INFORMATION ALWAYS AT THE TOP WITH RED ARROW

CORRECTION: *In The United States There Are Approximately 675k Volunteer Firefighters, Yet There Have Been Only Approximately 3000+ Comments To The OSHA Portal!!!!*

****THIS WEEK'S NEWEST ITEMS PRECEDED BY THE RED ARROW**

TIME SENSITIVE PLEASE SEND PRIOR TO FEBRUARY 12TH



As you are aware, the Occupational Safety and Health Administration (OSHA) has been working on a proposed Emergency Response Standard. Due to its harsh economic and administrative burdens, this proposed standard would be very damaging to the volunteer fire service and potentially cause many departments to close if adopted in its current form.

Next week the Senate Health Education Labor and Pensions committee will be holding a confirmation hearing for Secretary of Labor Nominee Lori Chavez Deremer. If confirmed, Chavez Deremer will oversee OSHA. As the Senate prepares for this hearing, it is important for Congress to be reminded of the potential damaging impact of this proposed standard. Please tell your representatives to oppose the adoption of OSHA's proposed Emergency Response Standard via the link below.

CONTACT YOUR REPRESENTATIVES AND SENTORS AT THIS LINK:

<https://www.votervoice.net/NVFC/Campaigns/121321/Respond>

[EDITOR'S NOTE: I DON'T THINK I'LL HAVE TO WORRY TOO MUCH ALL MY REPRESENTATIVES ARE DEMOCRATS...LOL]

[Facebook Post from Dave Denniston 1/21/25](#)

As we awake this morning, the flags, the moon, and the glass are half full. Late yesterday an executive order was put in place to pause any proposed legislation and no new orders can be put in place until the current administration approves them. This is a huge win.

So why half full you ask? While this is a pause, it is not a removal of the proposed rule. We now must switch our focus from OSHA and back to our elected officials and the new administration. It will be imperative that we hit the opportunity full force.

Please collect your thoughts, dig out your old letters, testimonies, and ideas and be ready to share them with your elected officials. This next step is as important as anything we have done so far.

Without all your efforts and hard work to date, this new rule would be in place today. Your voices slowed this down enough to get us to this opportunity. This was 100% grassroots to get us this far. We now have the opportunity to help craft a new rule that is economically and technically feasible that we can live with.

My friends the fight is not over, it has just begun. It's halftime of the championship game. Time to regroup and come out ready to play and come out victorious! We will begin calling plays as soon as this halftime show is over. Warm up my friends, it's almost time to take the field again.

[Recent E-mail from OSHA](#)

Good morning,

Everyone here at OSHA would like to thank all of the people who participated in the Emergency Response public hearing, which ended on December 4. Your testimony has provided OSHA with valuable insights and points of view that will be critical in helping us continue through the rulemaking process.

Finalizing the daily hearing transcripts is underway, and we anticipate that they will be uploaded to [Regulations.gov](https://www.regulations.gov) in the coming weeks, following review and approval by the Chief Administrative Law Judge.

In the meantime, the docket is open for submission of post-hearing comments at [Regulations.gov](https://www.regulations.gov). OSHA welcomes and encourages any additional comments, information and data from hearing participants and members of the public, which can be submitted until **docket closure on January 17, 2025**.

Thanks, and have a wonderful day!!
The OSHA Emergency Response team

Public Hearing After Action Comments

Dave Denniston

As we conclude the informal hearing on the proposed 1910.156 standard, I wanted to recap what has stood out to me from all the comments.

1. The proposal was drafted in a vacuum without equal representation of all of, or the majority of, emergency responders.
2. Almost all expressed that the current standard was outdated and warranted changes.
3. All agreed that responder safety was a major concern.
4. Strong opposition was voiced as to the technical and economic feasibility of the proposal.
5. There were mixed feelings as to if volunteers should be exempt or not.
6. Despite claims that the proposal was flexible in nature, most felt it was too rigid and designed as a one size fits all solution and that it shouldn't be
7. Emergency services are delivered in a vastly different nature and organizations function at various levels across the country.
8. That workplace response agencies and community response agencies are not the same.
9. That the delivery of emergency services would be severely impacted by the proposal as written.
10. **Outside of the unions, consultants, and those that wanted to weaponize the standard to demand more money from municipalities, no one came forward to say the proposal as written was the best option available.**

HERE ARE WHAT I SEE AS THE CHALLENGES MOVING AHEAD.

1. OSHA has invested a lot of time and money into the process to date. They will be looking to save face and not blow this up.
2. Changes to the existing standard are needed and warranted.
3. Exempting volunteers entirely will be difficult at best because of combination departments, definitions of volunteers, different laws in different states, the reduction of volunteer numbers across the country.
4. Only exempting volunteers will still have major financial impacts on our economy and municipalities that have any career staff.
5. The appointment for Secretary of Labor is known to be pro-labor and unions.
6. ***Even if we get a political "stay" on this for now, when the political landscape changes back in 2 to 4 years, we will be fitting this battle all over again.***
7. ***OSHA has now repeatedly asked for data and input to ideas of what would work and be acceptable.***
8. Any solution will have pain for some and there is no way to keep everyone completely happy here.
9. **This is not just going to go away.**

So please hear me out. In an effort to come up with a workable solution, I have taken the proposal rule and made some substantial edits. I am proposing a standalone standard that only applies to first response agencies (fire departments and ambulances). I have removed the incorporated NFPA standards and made them as reference material. I have adjusted the wording to put more power back in the hands of the AHJ. I have made it much cleaner and easier to read and understand. While there will still be some lift for local organizations and some pain points, I truly believe these edits would make it workable for the majority of organizations across our diverse country. **I believe if we are not willing to be part of the solution, we are in fact part of the problem.**

Please read my attached draft version and see if you think this is something we can live with. If it is (with any suggested edits) I would like to do a mass distribution of this and see if we can get enough support for it to give OSHA a way out and help improve the safety of our responders at the same time. I ask you to view this with an open mind and only object to portions that you feel would cause major disruption to your organization.

Folks, we asked OSHA to listen, and they are listening. Our elected officials repeatedly said we needed to work with OSHA to find a solution. This is a solution. While the courts may provide us with some relief, that will be a lengthy and time-consuming process with no guarantee for success. I have read this draft for the 4th time and do not see anything here now that I could not live with as a compromise.

<https://cafda.net/wp-content/uploads/2024/12/OSHA-1910.156-Denniston-Edits-Clean-Version.docx>

[OSHA Issued The Following Statement Regarding Its Emergency Response Rulemaking And Volunteer Emergency Responders:](#)

OSHA's rulemaking on Emergency Response is focused on providing long overdue protections to emergency responders. The agency has tremendous respect for both the work that emergency responders do and their unique role providing essential public safety services to every community in America. This statement describes the rulemaking's applicability to volunteer responders.

On February 5, 2024, OSHA published the Notice of Proposed Rulemaking (NPRM), Emergency Response Standard. ***While OSHA does not directly cover volunteer emergency responders, some OSHA State Plans treat volunteers as employees under state law, which is how a federal proposed standard could affect volunteer responders in those State Plan states.***

In the NPRM, OSHA preliminarily determined, based on the limited evidence available to it at the time, that the proposed rule would be economically feasible for volunteer organizations. *OSHA had sought information about the potential impact of the rule on volunteer organizations, but it did not have sufficient evidence to show that the rule would be infeasible for these organizations.*

Therefore, in accordance with the requirements of the Occupational Safety and Health Act of 1970, the proposal did not provide special allowances for the volunteer organizations that could be affected in some states. At the same time, the agency requested commenters' input on whether the proposed rule would be feasible for these entities. OSHA received that input during the extended comment period from February 5, 2024 through July 22, 2024.

OSHA has received comments in response to the NPRM from many stakeholders, including volunteer emergency responders, fire chiefs, trade organizations, and members of Congress, which raise serious concerns about the economic feasibility of the proposed standard for volunteer fire departments. OSHA takes these concerns seriously. The comments submitted to the rulemaking docket provide crucial information that the agency did not have earlier in the rulemaking process. This new information will help the agency make the necessary determinations about whether the proposed standard is feasible for volunteer organizations.

OSHA is committed to taking steps in any final standard, consistent with the rulemaking record, to assess and minimize detrimental effects on volunteer fire departments. ***If supported by the record, this may include excluding voluntary emergency response organizations entirely based on these feasibility concerns.***

[\[EDITOR'S NOTE: IN OTHER WORDS, YOU STILL NEED TO MAKE THE CASE AS TO WHY THIS PROPOSED STANDARD WILL NEGATIVELY AFFECT YOUR FIRE DEPARTMENT OPERATION!!!!\]](#)

While the initial comment period has closed, OSHA strongly encourages stakeholders to continue to provide information and data relevant to this question at the public rulemaking hearing scheduled to begin on November 12, 2024, and during the post-hearing comment period. Instructions for how to participate in the hearing are available on the Emergency Response rulemaking webpage, www.osha.gov/emergency-response/rulemaking. Once the rulemaking record is complete, OSHA will review all the information received and determine the appropriate approach to take with respect to volunteer organizations.

OSHA created an advisory committee working group to help the agency craft a proposed standard so that stakeholders would have a direct hand in the process. That working group included representatives from labor and

management; career, volunteer and industrial responders; as well as several other important stakeholder communities. OSHA included both career and volunteer responders in the working group because some OSHA State Plans treat volunteers as employees under state law, and a federal proposed standard could affect both groups in those states. The agency's intention has always been to work collaboratively with the emergency response community to find win-win solutions that ensure both responder safety and public safety.

[EDITOR'S NOTE: ALTHOUGH THE NVFC WAS REPRESENTED ON THE WORKING GROUP MANY OF THE PROPOSED CHANGES CAME FROM INDUSTRY AND LABOR, WITH MANY OF THE SUGGESTIONS BY OTHER MEMBERS OF THE GROUP BEING DISCARDED OR IGNORED! TIME FOR YOU TO GET ANGRY AND SPEAK UP.]

COMMENTS FROM NFPA..HIGHLIGHTED SECTIONS OUT OF AN 11 PAGE LETTER!!

NFPA applauds OSHA for opening this national dialogue on how to protect first responders from a variety of occupational hazards. NFPA shares that goal and has played a significant role in advancing first responder safety over the last century. Nevertheless, it is important to note that as a general policy, NFPA does not request incorporation by reference of any of our codes and standards. While NFPA has been involved with OSHA over the course of many years and through several Administrations considering rulemakings, NFPA had no specific recent role in putting this Notice of Proposed Rulemaking together, and NFPA did not suggest to OSHA that it should undertake this activity.

NFPA understands that OSHA has proposed to reference NFPA's codes and standards because they are widely recognized as the best in the world and thus are widely used in the United States and elsewhere. Our technical committees, comprised of 9,000 volunteer members, consider every submitted input to prepare standards that address the latest in technology, research, and other relevant information. We are proud that our codes and standards serve the safety goal of protecting emergency responders. The NFPA Fire & Life Safety Ecosystem (<https://www.nfpa.org/about-nfpa/nfpa-fire-and-life-safetyecosystem>) identifies the components that must work together to minimize risk and help prevent loss, injuries, and death from fire, electrical, and other hazards. We are confident that, throughout the years, our world-class codes and standards have saved firefighters' lives, prevented injuries, and enhanced first responders' effectiveness in aiding their communities. The development, use, and adherence to current codes and standards is a key part of the Ecosystem. The Ecosystem also relies on prepared first responders. The process of preparing first responders depends on continuous recruitment, training, and supplies of the best equipment. This is one of the reasons that NFPA strongly supported the reauthorization of the Assistance to Firefighters (AFG) and the Staffing for Adequate Fire and Emergency Response (SAFER) grants managed by the Federal Emergency Management Administration, which was recently enacted as Public Law 118-67. We continue to advocate for expanded funding for both critical grant programs. A decision made by a government, or by a for-profit or non-profit entity, to use a particular code or standard furthers the goal of enhancing safety. In the case of this Emergency Response Standard, as in the case of so many others, the entity making the incorporation decision must consider the appropriate implementation schedule and compliance plan. We are sensitive to the concerns that many in the fire service, especially smaller volunteer fire companies, have expressed about the expense of meeting the OSHA proposal and how quickly the requirements would be mandated. At the macro level, we know that investments in safety are almost always worthwhile. We trust that OSHA will determine the appropriate implementation schedule should this proposed rule be finalized. Parallel to whatever OSHA decides, our nation must continue to invest in AFG, SAFER, and other efforts to fund our volunteer and career first responders.

However, recent legal developments create a risk that OSHA's continued use of incorporation by reference could frustrate NFPA's ability to continue developing world-class safety standards. NFPA therefore requests (1) that OSHA refrain from incorporating NFPA's standards by reference in the proposed rule and that OSHA instead provide in the text of the rule that NFPA's standards are a benchmark for gauging compliance with the regulations and do not impose any binding legal obligations; (2) that OSHA explicitly acknowledges, in the rule, NFPA's copyright interests, knowing those interests also serve the agency and the public by ensuring the independence and sustainability of standards development; and (3) ensure through the rule that the public knows that NFPA posts its standards online for free read-only access.

The recent court decision, and the importance of NFPA's copyrights to OSHA's work, necessitate a different approach to OSHA's use of NFPA's standards. NFPA requests that OSHA not incorporate by reference its standards in the proposed rule. Instead, NFPA requests that OSHA refer to its standards in the text of the proposed rule as one benchmark of compliance with the regulations and **expressly provide in the rule that NFPA's standards are guidance and not binding.**

NFPA requests that OSHA use a similar approach for the NFPA standards it currently proposes to incorporate by reference in its rule. For example, the proposed rule incorporates by reference NFPA 1910, Standard for the Inspection, Maintenance, Refurbishment, Testing, and Retirement of In-Service Emergency Vehicles and Marine Firefighting Vessels. The proposed rule requires organizations and employers to "[i]nspect, maintain, and service test aerial devices on vehicles, to ensure they are safe for use, as specified by the manufacturer, or to a standard at least as equivalent to NFPA 1910 (incorporated by reference see § 1910.6)." 89 Fed. Reg. at 8,019. **OSHA could instead draft this rule to require that there be inspection, maintenance, and servicing of the devices "to ensure they are safe for use." OSHA should then further expressly provide in the text of the rule that NFPA 1910 is one way of ensuring safe use of test aerial devices on vehicles but does not create any binding obligations.** This approach would ensure safety, while preserving NFPA's copyright in NFPA 1910. For each standard that OSHA's proposed rule incorporates by reference, NFPA would welcome the opportunity to work with OSHA on ways to ensure that the rule achieves the agency's safety objectives without using incorporation by reference.

****The New OSHA Rule You Must Pay to Learn**

The Center for Individual Rights

The Occupational Safety and Health Administration (OSHA) has proposed a new rule that would impose steep compliance costs on local volunteer fire departments around the country and make them pay substantial fees just to learn what the regulations require. The Occupational Safety and Health Act (OSH Act) created a federal agency with an extremely vague mandate to establish nationwide workplace safety standards with almost no congressional guidance. Yet OSHA's most recent proposal, the Emergency Response Standard (ERS) manages to extend this already broad power even further with sweeping workplace standards that even reach volunteer organizations.

If adopted, the ERS would impose federal safety standards for emergency response services, including local, volunteer fire departments, that purport to preempt and displace existing state-enforced safety regulations. **Many of the affected volunteer fire departments lack adequate funding (relying as they do upon voluntary support) and cannot afford to overhaul their standards to comply with new federal rules, which larger departments in metropolitan areas can more easily manage.**

UNCONSTITUTIONAL REGULATION

CIR filed a comment with OSHA explaining that the ERS likely violates both federal law and several different provisions of the Constitution. To start, the OSH Act provides such broad discretion to OSHA as to amount to an unconstitutional delegation of legislative authority. Moreover, the sweeping reach of the ERS, a nationwide overhaul of safety regulations for such a wide swath of emergency responders, vastly exceeds the limited guidance Congress did provide. **Worse yet, even fire departments that do not object to complying with the rule will have to pay substantial fees just to learn what it actually requires. Rather than clearly articulating the new safety standards on a freely accessible website, OSHA has incorporated by reference more than 20 consensus standards published by different private organizations.** Just to download, print, or copy these standards, organizations must pay steep fees. But to synthesize them will require hiring expert consultants.

This approach violates federal law—the Freedom of Information Act component of the Administrative Procedure Act, which requires that an agency make all substantive rules of general applicability available to the public. It also violates the Due Process Clause of the Constitution, which guarantees citizens the right to fair notice about governing law.

The text of the OSH Act poses another problem; it does not apply to volunteer organizations at all. The terms of the law are expressly restricted to employees, i.e. people who are paid to work. **Yet due to complex state regulations that treat some volunteers as employees for the purpose of certain state benefit programs, the ERS is unlawfully sweeping in volunteer organizations.**

This case is a vital reminder of the importance of establishing firm limits on federal power to the defense of individual rights.

TO READ CIR'S 15 PAGE COMMENT TO OSHA OPEN AT THIS LINK:

<https://cafda.net/wp-content/uploads/2024/07/CIR-comment-OSHA-ERS.pdf>

This is a Link to the 18-page letter to Douglas Parker, Assistant Secretary for Labor for OSHA

<https://cafda.net/wp-content/uploads/2024/07/NYS-United-Concerns-OSHA-Response-FINAL-07.16.24-DD.docx>

This is a must-read item for all concerned about the proposed update to the OSHA Standard for Emergency Response. This was filed on behalf of the NYS United Concerns Group who participate in the zoom meetings on a weekly basis. **Please take the time to read this important document.**

Joint Letter to OSHA from NYS Association of Counties, NYS Conference of Mayors, and the NYS Association of Towns

Open the Document at This Link:

<https://cafda.net/wp-content/uploads/2024/07/NYCOMNYSACAOTjointletter.pdf>

CONTACT YOUR REPRESENTATIVE AT THIS LINK:

<https://www.voterve.net/NVFC/Campaigns/115571/Respond>

Additionally, the public comment period for OSHA's proposed standard is ongoing and concludes on June 21. The NVFC encourages all departments to submit comments. Please visit NVFC's OSHA landing page for guidance on submitting comments and other resources at this link: <https://www.nvfc.org/osha-standard/>.

Landing Page with Resources

The NVFC has created a landing to provide resources to help members of the fire and emergency services and the public better understand the issue and submit a public comment by June 21. This includes an outline of the proposed standard, comment guide, and recorded webinars. This page will be updated periodically with new resources and information.

NVFC LANDING PAGE LINK HERE:

https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUKCq2FlyoxhE-AybLw8OnamjNOBiBpzyC-pPzLiiYEvhxQ9sAxHOUIIn-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWc0PJekSA9BGQCOh6lo_AGJ2vqw1b4iSBqWLS=&c=LauWWHLcf9ha42GymhgqekGbW4yjuTH862UfuVJahY7fFHeGl_qUJw==&ch=lefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==

POSITION PAPER AND FORMAL RESPONSE TO OSHA FROM THE SOUTH CAROLINA STATE FIREFIGHTER'S ASSOCIATION: CLICK THE LINK HERE:

<https://cafda.net/wp-content/uploads/2024/04/Final-Draft-SC-FF-Assoc-OSHA-Response-Letter.docx>

Meeting with NYS-DOL/PESH

Dave Denniston Writes: We had a great meeting with PESH at the end of last week. They are willing to work with us, but admit that their hands are tied some. The NY PESH Officials have stated we have to get in front of OSHA and get a seat at the table. They could not stress enough that the head of OSHA needs to know our names and concerns.

I have also been contacted by one of our congressional friends that said they are behind us, but we have to get in front of OSHA and a seat at the table. They fear legal options are our only other remedy. NVFC is looking at that angle now. I have attached my comment to OSHA that will be submitted today. **Along with this one we are going to have an online petition with a goal of 50K signatures. More details to follow. SEE DAVE'S LETTER AT THIS LINK**

:[<https://cafda.net/wp-content/uploads/2024/04/OSHA-1910.156-REQUEST-FOR-ACTION-1.docx>]

Lee and I will be doing a more detailed bulleted dive of the specifics of 29CFR 1910.156 on Thursday night at 7 PM. The good news, as of this morning Zoom has us up to 1000 log in capacity. Over half of that is registered now, but let's fill

it up. Most webinars have a about 60% hit ratio. These OHSA ones have been exceeding that hit ratio which is awesome. Please share the registration link with your email lists and organizations. There is also a link for one more geared to Ohio in a couple weeks.

This is being run as a ESIP webinar on **Thursday 4/4 at 7pm**. Here is the registration link, **PLEASE SHARE:**
https://archcapgroup.zoom.us/webinar/register/WN_9GtqnblySa-WTKil-F5Sqw

Tom Miller and I are doing a similar webinar on **Wednesday Dec. 10th for the Ohio State Firefighters**. All are welcome to that one if the date is better. That one is a little more geared to a state where the volunteers are not “employees” but the main message is the same.

Register for OHIO Webinar Here: https://archcapgroup.zoom.us/webinar/register/WN_ae-TdGcUR3SDQJzuEaG_aQ

We cannot stress enough, our message is not that we oppose changes, and that in fact the fire service needs to embrace this and make serious changes in how we do business for firefighter safety. This has been our message since day 1, and some continue to ignore it. We need change and we need to do better for our people. What we do want is a seat at the table and some simple tweaks in the logistics of how this should be delivered, so it is in fact usable and will save lives and reduce injuries. WE CAN DO BETTER! There are still folks out there claiming we are trying to kill this thing. That could not be further from the truth, and we need to make sure that message is heard loud and clear.

LINK TO THE PROPOSED OSHA STANDARD, NO FLUFF:

<https://cafda.net/proposed-changes-to-the-osh-standard-comment-period-opens-february-5th/>

Here are the links for the resources as Dave promised:

1. [Webinar: Emergency Response Rule | Oshaedne](#)
2. [OSHA's NEW Proposed Rule 1910.156 Emergency Response rule on Vimeo](#)
3. [Microsoft PowerPoint - 1910.156 Webinar 1-31-2024 draft 2.pptx \(oshaedne.com\)](#)

OSHA PROPOSED UPDATE TO THE BRIGADE STANDARD COMPLETE TEXT: <https://cafda.net/wp-content/uploads/2024/01/ER-NPRM-Unofficial-WORD-VERSION.docx>

LINK TO MY SYNOPSIS OF THE PROPOSED UPDATE: <https://cafda.net/wp-content/uploads/2024/01/SYNOPSIS-OF-THE-PROPOSED-UPDATED-OSHA-FIRE-BRIGADE-STANDARD-1.docx>