

NH Fire Standards and Training Commission**MEETING MINUTES (Approved)****January 7, 2021**

9:30AM Virtual - WebEx

Action items are in bold red.**FST Commission members present:**

Jeremy Thibeault (Chair), Robert Buxton (Vice Chair), Richard C. Bailey Jr., Allan Clark, Robert Field, Eric Frauwirth, Jason Greene, J. Michael Joyal, Kerry LeBlanc, Paul Parisi, Nancy Smith and Eric Wilking **(12)**

FST Commission members not present:

William Campbell and Steve Sherman **(2)**

Division of Fire Standards and Training & EMS Staff:

Director Deborah A. Pendergast, Assistant Director Jeffrey Phillips and Hayley O'Brien **(3)**

Public Guests:

Ron Sebastian – PFFNH, Brian Murray – Salem Fire, Ashley – PFFNH and 1 unknown guest **(3)**

I. CALL TO ORDER

Item 1. The meeting was called to order at 9:34AM. Chair Thibeault read the "Checklist to Ensure Meetings are Compliant with the Right-To-Know Law during the State of Emergency."

Item 2. Roll call vote for attendance

Item 3. Chair Thibeault recognized newly appointed Department of Education member, Eric Frauwirth and Ron Sebastian who has been nominated to represent PFFNH.

The nominating committee did not receive any recommendations for Chair and Vice Chair. Director Pendergast lead this nomination.

A motion was made (Field/LeBlanc) – to nominate Chair Thibeault and Vice Chair Buxton for another term in their respective positions; passed unanimously.

Bailey	Yes
Buxton	Yes
Clark	Yes
Field	Yes
Frauwirth	Yes
Greene	Yes
Joyal	Yes
LeBlanc	Yes

Parisi	Yes
Smith	Yes
Thibeault	Yes
Wilking	Yes

II. REPORTS

Item 1. Questions/comments regarding reports (Division, EMS, CB, FMO, Forest Protection, Curriculum)

Director Pendergast added to her report:

- Firefighter I just started, it is a full class with 21 students and will finish in early May. Firefighter II scheduled to start January 20th, enrollment is still open at this time.
- Vice Chair Buxton asked what the process was to repost the bid on the aerial ladder truck and if there was an issue with the specs with the 2 vendors that submitted. Director Pendergast clarified that neither vendors met the specs that were listed, the Division rewrote the bid and it went out again. AD Phillips mentioned an issue with the bids that were submitted, had exceptions to the specs, but they did not ask for an exception in the questions and comment period during the bid process. This bid is scheduled to close January 19th.
- Vice Chair Buxton asked for clarification on the ARFF fuel area upgrade for pit protection funding. AD Phillips confirmed that this upgrade is 100% funded through DOT and FAA. This funding is just the engineering part to replace the rocks. The actual construction of replacing the rocks and the ARFF plane is in the works. This grant is 90% through FAA, hoping that the Division of Aeronautics at DOT will pick up the other 10%. This is a joint application through DOT, DOS and Pease. If the Division can get this funding for both projects, this will not impact our funding at all.
- AD Phillips reported that the funding received for the medical reimbursement for firefighter hired prior to January 1, 1997 rules went before JLCAR in December and did not approve the rules. Misinformation was seen why firefighters were required to submit their entire social security number. The Division did not have an opportunity to explain that in order to receive funds from the state, you must register as a vendor for tax purposes and if you are not a corporation you must submit your social security number. The rules go back to JLCAR on January 15th and we are hopeful that the rule will pass.
- The Division received grant funding to upgrade our IT infrastructure and databases. 2 weeks prior to Christmas, the Division exported 1.6 million records and successfully imported the data into the new system. The last 3-4 weeks have consisted of training and updating staff on process. We are currently running only with the new system. Eventually, the public will have access to their own profile once the system is fully up and running.
- Working with the FMO to get the statewide fire incident reporting system accessible to all municipalities with no cost to them.

Item 2. Legislative Report – AD Phillips reported

- Nick Mercuri is no longer with the Division. The Director and Assistant Director are working together to gather this information.
- Paying attention to the EMS compliance process regarding multiple infractions on a person has to be treated as 1 incident and can only be suspended for all infractions together instead of a suspension for each individual infraction.
- Also paying attention to giving the Division the ability to share some EMS data that is approved by the Commissioner with an outside agency to allow for data analytics to be seen regarding what is happening with EMS.
- Both EMS Boards are working on some rule changes involving EMS investigation, suspension, revocation process and leaning towards a just culture process.

III. APPROVAL OF MINUTES

A motion was made (Parisi/Wilking) - to approve the minutes for the November 5, 2020 meeting; passed unanimously.

Bailey	Yes
Buxton	Yes
Clark	Yes
Field	Yes
Frauwirth	Yes
Greene	Yes
Joyal	Yes
LeBlanc	Yes
Parisi	Yes
Smith	Yes
Thibeault	Yes
Wilking	Yes

IV. SUB-COMMITTEES

Item 1. Administrative Rules Sub-Committee (Reported by Commissioner Smith)

- Nothing to report.

Item 2. Curriculum Review Sub-Committee (Reported by Commissioner Clark)

- Will discuss under Old Business.

Item 3. Visiting Committees:

- **Haz Mat NFPA 1072** – (Reported by Commissioner Buxton)
Nothing to report.

- **Firefighter NFPA 1001** – (Reported by Chair Thibeault)
This has been approved and can be removed.
- **Technical Rescue NFPA 1006** – (Reported by Chair Thibeault)
Discussion for this will occur under Old Business.
- **Fire Officer NFPA 1021** – (Reported by Commissioner Clark)
Nothing to report. Visiting Committee has not been established yet.
- **Instructor NFPA 1041** – (Reported by AD Phillips)
Prior to the next Commission meeting a meeting will be set up with the Curriculum Committee to provide short presentation of a proposed new change on the delivery mechanism of the Instructor II & III program. Hoping to move the higher level programs to a college level, online class mechanism. The goal is to allow individuals to take the training on their own time, self-paced and allow for more attendance.

V. OLD BUSINESS

Item 1. Curriculum Committee Approval Process and Policy – Reported by Commissioner Clark
The Curriculum Committee met on November 30, 2020 to address the issue as charged by the full Commission, to review the role of the Curriculum Committee as it relates to Committee Reports and to examine whether there was a conflict between the Curriculum Development Approval Guide and the Visiting Committee Policy.

Based on findings, the Committee made a recommendation that the last paragraph in the Visiting Committee Policy be amended to read "The Curriculum Committee shall have the ability to send the proposed curriculum to the full FST Commission or offer recommended changes and refer it back to the Visiting Committee. Should the Visiting Committee and Curriculum Committee not come to a consensus, both parties shall present their recommendations to the full FST Commission for final determination."

A motion was made (Clark/Buxton) - *to accept the adjustment/amendment to the current Visiting Committee Policy that will provide better direction to the Curriculum Committee on dealing with any concerns that the Curriculum Committee may have with the recommendations of the Visiting Committee and provides a process where the Curriculum Committee can provide input back to the Visiting Committee to reach consensus, if unable to do so, both recommendations would go back to the full FST Commission to be resolved;* passed unanimously.

AD Phillips displayed the flow chart for all members to see. The flowchart showed an additional green and red arrow.

Bailey	Yes
Buxton	Yes

Clark	Yes
Field	Yes
Frauwirth	Yes
Greene	Yes
Joyal	Yes
LeBlanc	Yes
Parisi	Yes
Smith	Yes
Thibeault	Yes
Wilking	Yes

Item 2. Firefighter III Glitch – Visiting Committee Establishment - Reported by Commissioner Clark

The Commission voted to seat a Visiting Committee, staff submitted a request to firefighters for any individuals interested in serving on the Committee. The Curriculum Committee met prior to this meeting, 6 individuals expressed interest; Steven Hussey from Hooksett Fire, Jared Cook from Lebanon Fire, Ben Selleck from Bedford Fire, Adam Mills from Hampton Fire, John Hill from Hooksett Fire and Russ Osgood from Portsmouth Fire. The Curriculum Committee unanimously recommended that the Commission seat these individuals for the Visiting Committee. Noting that all 6 individuals are career firefighters.

A motion was made (Clark/Buxton) – *that the Commission seat the 6 individuals on the Visiting Committee for NFPA 1006 prerequisites;* passed unanimously.

Commissioner Joyal asked if there were any alternates selected or only voting members. Commissioner Clark confirmed that the intent was that they would be only voting members. This would make the quorum 4.

Bailey	Yes
Buxton	Yes
Clark	Yes
Field	Yes
Frauwirth	Yes
Greene	Yes
Joyal	Yes
LeBlanc	Yes
Parisi	Yes
Smith	Yes
Thibeault	Yes
Wilking	Yes

VI. NEW BUSINESS

Item 1. 602.01 Roster Data – Reported by Director Pendergast

Starting this project in 2018, The Division received 93 % of department's rosters. In 2019, 55% of department's submitted rosters. 2019 was transition year of the Administrative Assistant position, including a maternity leave. Meaning, only 1 less communication reminder went out. In 2020, 50% of department's submitted rosters. The Director and Hayley have a plan to put a letter together reminding all departments that this is mandatory, in rule and is not optional. The Director stated that she was disappointed with the results the past couple of years and several communications have occurred. Several departments have stated that this year, with Covid, has created a limited amount of time and manpower to complete the roster project. Understanding the Covid limitations, but also understanding that the deadline is on or before December 31st. The Division will send out a reminder about this rule and that they are not in compliance to those departments that have not submitted a roster with a deadline of March 1st. It is very difficult to do a statistical analysis with only 50% response. The similarities between 2019 and 2020 seem to be fairly consistent from what we can tell.

Commissioner Wilking offered his assistance in reaching out to each of the departments in the mutual aids about submitting their roster. He asked once the letter is complete to forward it to him with a list of departments that he will need to reach out too.

Commissioner Buxton confirmed with Marshal Parisi that the five families are still getting together and requested that this information be shared with them to remind them about this compliance.

Commissioner Smith mentioned the First Responder stipend with CARES money that required all departments to submit an active roster in order to get the funds.

The Director stated that the Division will reach out to Homeland Security to obtain the rosters that were submitted and compile the information.

Commissioner Joyal asked what the enforcement mechanism is for those that do not comply. Chair Thibeault stated that there is none. Commissioner Joyal requested an enforcement mechanism be put in place if the state rule is broken. Commissioner Smith stated that she would need to review the rule, but as far as discipline or action against a department, the current discipline rule wouldn't allow for it. The Division could request show cause as to why the department has not complied. Chair Thibeault stated he would sign the letter with the Director to add the Commission to it. Commissioner Joyal asked if the Director and Division could come up with a process to enforce this requirement, either a process that can be instituted themselves or coming back to the Commission with a rule change. The Director confirmed that she will work with Commissioner Smith to get a process in writing.

Marshal Parisi stated that the FMO has the same issue with the NFIRS reports. He agrees with Commissioner Joyal, but noting that ultimately, they still end up chasing departments. AD Phillips confirmed that in the new system, there is a mechanism in place where the Chief's will be in control of their roster and they will be required to confirm new affiliates and also maintain an

up to date roster rather than the spreadsheet submission. The pie chart on the letter is only showing departments that complied and submitted their roster, not NH in its entirety.

VII. GOOD OF THE ORDER

Item 1. The financial disclosure forms will need to be filled out manually and emailed or mailed to the Secretary of State by January 15th. The online process did not finish in time so they were not able to institute this new process for submission this year. Hayley will send out the information on how to submit those forms after this meeting.

Item 2. Vice Chair Buxton congratulated the Director on her retirement and thanked her for her time and efforts that she has put into the NH fire service!

VIII. ADJOURNMENT

A motion was made (Buxton/Wilking) – to adjourn the meeting at 10:30 AM, passed unanimously.

NEXT MEETING: March 4, 2021 at 9:30 AM – Virtual WebEx

(Minutes: Hayley O'Brien, Administrative Assistant)