

# **NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION**

Location: 98 Smokey Bear Blvd, Concord, NH  
Mailing Address: 33 Hazen Drive, Concord, NH 03305  
Telephone: 603-223-4200  
Toll Free: 1-800-371-4503

## **MINUTES OF MEETING**

**December 8, 2016**

*(Approved)*

### Voting Members Present:

#### Commissioners:

Richard Bailey, Jr.; Robert Buxton; William Campbell, Stephen Carrier; Amy Clark, Justin Cutting, J. William Degnan, J. Michael Joyal; Kerry LeBlanc (late), Richard McGahey; Kevin Pratt; Steven Sherman; Nancy J. Smith, Esq.; and Jeremy Thibeault  
(14)

### Voting Members Absent:

Commissioner Peter Lennon

### NH FST&EMS Staff:

Director Deborah A. Pendergast, Assistant Director Jeffrey Phillips, Chief Nick Mercuri, Deputy Chief Andy Anderson, Eric Uitts, Driver/Operator Program Coordinator, and June Connor  
(minutes) (6)

### Guests:

Chief Ted Call (Sandwich Fire Dept.), and Matt Welch (West Ossipee Fire Dept.)  
David Hilts arrived at the meeting in time for V., Item 2.

**NOTE: “Action” items are in bold red.**

## **I. CALL TO ORDER**

### **Item 1. Call to Order**

- The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Carrier at 9:05AM on Thursday, December 8, 2016 at the Richard M. Flynn Fire Academy, 98 Smokey Bear Blvd., Concord, NH. A quorum was present with 13 voting members in attendance; Commissioner LeBlanc arrived a few minutes late, after the non-public session had begun.

- The Pledge of Allegiance was led by Commissioner Degnan.
- Chair Carrier welcomed Commissioner Amy C. Clark, the designee to the FST Commission from the NH Dept. of Education.
- **In order to accommodate the attendees from the Non-Public session, agenda items III and IV were reversed. Items taken out of order are noted as such in bold blue print.**

## II. APPROVAL OF MINUTES

**A motion was made (Buxton/Pratt) - to approve the minutes from the FST Commission Public Session meeting held on October 25, 2016; passed unanimously.**

**A motion was made (Smith/Thibeault) – to approve the minutes from the FST Commission Non-Public session held on October 25, 2016; passed unanimously.**

## IV. NON-PUBLIC SESSION

The FST Commission went in to non-public session to discuss a medical waiver issue.

## III. PUBLIC HEARING

- The public hearing for the Driver/Operator Program commenced at 9:35AM and was closed at 10:15AM, at the conclusion of the meeting.
- Commissioner Bailey and Deputy Chief Anderson will be on hand at the evening public hearing, December 8, 2016 at 6PM.
  - \* **POST MEETING NOTE:** No one from the public attended the evening public hearing.
- Assistant Chief Phillips distributed copies of public comments that were submitted via email, and Eric Uitts was on hand to answer questions. The issue of keeping parallel parking in the curriculum was discussed, and there was agreement that, even though fire trucks do not have to parallel park often, it should remain in the curriculum because it is a skill that is adaptable to different types of situations in which fire trucks have to be maneuvered in a similar manner. This is also a skill that someone could be asked to do for a CDL exam.

## V. COMMITTEE REPORTS

### Item 1. Emergency Medical Services (Chief Nick Mercuri)

- Chief Mercuri reported about the success of the Strategy and Planning Session held at the Academy on November 17, 2016. Members of the 3

EMS boards and invited stakeholders came together in brainstorming sessions that focused on 9 attributes of an EMS system.

- **The next step is to send out a survey on Survey Monkey, using the input from the Nov. 17<sup>th</sup> session to formulate the questions.**
- **The goal is to have a strategic plan in place within the next 6 months; the 3 EMS boards will have a “punch list” of things they want to see accomplished over the next 3-5 years.**

## **Item 2. Fire Marshal’s Office** (Fire Marshal J. William Degnan)

### **Fire Code update**

The update of NFPA 1 to the 2015 edition has had the public hearing with the Board of Fire Control which voted to carry forward the existing 2009 amendments and exceptions to the 2015 if adopted by the legislature. The home builders submitted an amendment to remove the floor protection for lightweight engineered floor systems and the NHAFC submitted an amendment to the floor protection to install fire sprinklers of the domestic water supply using a single head design in the unprotected areas such as the basement where floor joists are exposed. The Board tabled both amendments to allow us time to work with the home builders to hopefully come to a resolution for this important FF safety issue.

The lightweight engineered lumber floor protection and Photovoltaic installation requirements are both significant FF safety sections in this edition of the 2015 edition of the fire code.

### **Fireworks –**

Investigator Wyman is available for instruction regarding inspecting fireworks display shows and fireworks enforcement.

Investigator Wyman is updating community restriction list. This list is comprised of communities with a legal ordinance restricting permissible fireworks.

### **Hazardous Materials –**

Laconia – On Tuesday, November 1<sup>st</sup>, an NHFMO investigator was approached by a maintenance worker while on the property of the Laconia State School. The maintenance worker had found an unusual looking soda bottle with balls of aluminum inside. The maintenance worker stated that he threw the bottle in the dumpster. The suspicious device was determined to be a soda acid bomb. The NHFMO contacted NHSP, who responded and took over control of the scene, rendering the device safe.

Groveton- a student picked up a one pot that was expanding and brought it into the school to a teacher who took it back outside and opened the top, relieving the pressure; close call for both the student and teacher.

**Investigations –**

**The NHFMO investigated several fires this month and three involved four injured parties, two victims are life threatening and have been transferred to Boston Hospitals and Two were treated and released from a local hospital.**

Swansey-11/22, Investigators were notified of a flash fire that occurred in a residence. The fire has been ruled accidental and is attributed to a subject using a grinder in conjunction with a flammable liquid. The victim sustained burns to over 50% of his body and he was transported to the hospital for his injuries. There was minimal damage to the structure.

Charlestown-11/28, Investigators were requested to respond to a fire that occurred at a single family home. The building sustained substantial damage, two occupants' sustained injuries while trying to escape from the second floor of the home. They were treated at the hospital and released. The cause of the fire is still under investigation, there are no criminal indicators; possible space heater.

Manchester – On 11/21 investigators from the NHFMO responded to a multi-family building fire at 557 Pine Street. In conjunction with the Manchester Fire and Police Departments, it was determined that the fire started on the third floor and the cause of the fire was accidental and related to smoking while using medical oxygen. The fire resulted in one injury, a 60 year old female. The victim was transported to the Elliot Hospital and then flown to Mass General for the treatment of burns over 75-90% of her body.

**Education-**

The CO summit was well attended in Lebanon and provided some great information that will be beneficial for the state. This is a collaborative effort between, Dartmouth Hospital Injury Prevention Center, Dartmouth Medical School, fuel industry, Vermont and New Hampshire State Fire Marshal's Offices.

**Legislative-**

LSR for Fire Code update to 2015, this has sections important to firefighter safety  
LSR Building Code update to 2015  
LSR to eliminate Arc fault CI

**Item 3. Forest Protection Bureau (Chief Steven Sherman)**

- Commissioner Sherman reported that this year's fire season stretched into mid-November with a 45 acre fire in Loudon fueled by wind and leaf litter.
- November fire in Tennessee – One of our Type 6 engines was sent down to help with this fire. The fuel types were very similar to New Hampshire's (hardwood leaf litter, steep terrain, wind-driven etc.)

**Item 4. Curriculum Review** (Assistant Director Jeffrey Phillips)

- **Assistant Director Phillips is working on a new format for future curriculum reports that will focus more on outcomes of training programs; this should be ready for the 2017 scheduled meetings.**
- Commendation from the statewide interoperability coordinator regarding the development of the fire service communications online module: This is now being taken by all Firefighter I students. In addition, a non-fire based piece has been added to it so that any type of service involved in interoperability can benefit.
- Future schedule of courses: a year-long calendar is being planned so that students can make long-range plans.
- Inspector I program has been contracted with the City of Keene.
- Instructor II/III program just finished; this was teleconferenced to Gorham.
- **E-Learning Section: The Wildland program has been re-created to be more user-friendly; it is currently being tested and is scheduled for roll-out for the classes that take place after January.**
- Fire I exams: delivery method is being looked at by a group of staff members; they will come up with recommendations.

Commissioner Pratt asked about the status of training at Meadowood. The Board of Directors has suspended operations on this privately owned site.

**VI. REPORT OF THE DIRECTOR**

- We have awarded the FAA grant contract for the ARFF prop upgrades and repairs. Those will take place in the coming weeks. We have an NFPA 1003 airport FF program coming up in May. This will probably fill quickly.
- I attended a Haz Mat Conference planning committee meeting. We are planning another 2 day conference as we had last year; it will be in the March/April time frame.
- Since being developed, nearly 1600 fire and EMS and some law enforcement responders have taken the online "EMS in the warm zone "awareness program. We are in the process of developing the operations level program; some portions are complete. Late winter timeframe for release. We are also working with HSEM and GMU to distribute \$300,000 of grant funds to departments for purchasing warm zone EMS equipment at \$6000 per department. That application is close to being released.
- Bureau of EMS is working closely with Dr. Jim Suozzi to bring the CARES registry to NH.
- Met with rep. Clyde Carson about decal plates for FFs

- Going through the submitted LSRs, we saw HB 0555, from Rep. Michael Brewster to cut our budget by 75% to 1.5m. The Commissioner's Office is aware, and we will work to fail this bill.
- Final call for the Denton program to donate surplus equipment to El Salvador. Need equipment brought to the Academy by Dec. 20. It will be brought to Central America in January. Captain Doherty is the contact for that program.

## VII. OLD BUSINESS

### Item 1. Fraudulent certificate update

No updates available at this time.

### Item 2. Administrative Rules Sub Committee

- Attorney David Hilts was on hand to discuss the expired rules due to a missed deadline to submit the rules for fiscal impact to LBA.
- The October 25<sup>th</sup> commission vote to re-adopt the old rules was not able to be used to submit interim rule making.
- He asked the Commission for a vote to approve a re-adoption of the expired portion of the rules through the interim rule making process. Upon a passing vote, it would be submitted to Legislative Services.
- They will be heard by JLCAR on January 20, 2017 which could then be approved by the FST Commission at its February 2<sup>nd</sup> meeting.
- A motion was made (Smith/Joyal) – *to approve the expired portion of the rules for adoption as interim rules for filing with Legislative Services*; **passed unanimously.**
- During discussion, David Hilts explained that once the motion is passed, the interim rules will only be effective for 6 months. This period of time should be used to work on proposed changes to the rules. If during this time period, a new package of rules is filed with JLCAR, the interim rules will still be in effect; once JLCAR approves the changes and the commission adopts them, then the newly adopted changed rules would supercede the interim rules.
- **In terms of timing, here is what needs to be done:**
  - 1. calculate the 6 month date from the February 2<sup>nd</sup> meeting when the commission can vote to approve the interim rules. (August 2, 2017)**
  - 2. count back 2 JLCAR meeting dates from the August 2<sup>nd</sup> deadline.**
  - 3. figure the filing date on the changed rules based on #2.**
- Attorney Hilts gave Chair Carrier an accompanying document to sign which will also be signed by the Commissioner.

- Attorney Hilts also reported that he, Nancy Smith, and Assistant Commissioner Bailey met with Commissioner Barthelmes, who supports efforts to enhance standards in the fire service. His concern is with whether or not there is statutory authority for rules that are put forward. The civil bureau at the AG's office will do a legal analysis about the scope of statutory authority for the FST Commission and make it available within the next week or so. (NOTE: Commissioner Smith pointed out that the legal opinion from the AG's office will not come from her because she sits on the commission and has been involved in the rule making process.)
- Attorney Hilts left at 10:05.

Assistant Director Phillips asked for **feedback regarding the proposed rule changes** which he emailed to the commissioners. Commissioner Buxton suggested that the discussion be tabled until the interim rules are in place. **This discussion was postponed until the January 5<sup>th</sup> meeting.**

## VIII. NEW BUSINESS

### IX. GOOD OF THE ORDER

- Director Pendergast thanked Chair Carrier for all the work he has done while serving as Chair on the Fire Standards and Training Commission.
- Incoming Chair Thibeault thanked the NH FST&EMS staff for the Photos with Santa on a Fire Truck and Polar Express events that were held on December 4<sup>th</sup>.
- **Incoming Chair Thibeault's request: Come to the January meeting having taken a careful look at the rules. He also stated his desire for everyone to work together to make sure procedures are followed.**

### X. ADJOURNMENT

**A motion (McGahey/Cutting) to adjourn at 10:15AM;** passed unanimously.  
**2017 FST Commission schedule:**

#### **January 5, 2017 – NEXT MEETING**

February 2, 2017

March 2, 2017

May 4, 2017

June 1, 2017

September 7, 2017

November 2, 2017

Respectfully submitted, Director Deborah Pendergast  
(Minutes: June Connor, Administrative Assistant)