

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

Location: 98 Smokey Bear Blvd, Concord, NH
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MINUTES OF MEETING

March 10, 2017

(Approved)

Voting Members Present:

Commissioners:

Richard Bailey, Jr.; Stephen Carrier; J. William Degnan; Michael Joyal; Kerry LeBlanc (left at 10:20); Kevin Pratt; Steven Sherman; Nancy Smith; and Jeremy Thibeault (9)

Voting Members Absent:

Commissioners Robert Buxton; William Campbell; Amy Clark; Justin Cutting; Peter Lennon; and Richard McGahey (6)

NH FST&EMS Staff:

Director Deborah Pendergast; Assistant Director Jeffrey Phillips; Chief Nick Mercuri; and June Connor (minutes) (4)

Guests:

Steven Lavoie from the Div. of Administration (Guests present for the non-public session are listed in those minutes.)

NOTE: "Action" items are in bold red.

I. CALL TO ORDER

Item 1. Pledge of Allegiance and opening remarks

- The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Thibeault at 9:00AM on Friday, March 10, 2017 at the Richard M. Flynn Fire Academy, 98 Smokey Bear Blvd., Concord, NH. A quorum was present with 9 voting members in attendance.
- The Pledge of Allegiance was led by Commissioner Sherman.
- Chair Thibeault stated that in an effort to accommodate time schedules, the agenda items would not be dealt with in order. (Out of order and added items are indicated in these minutes.)

II. Budget Report – Steven Lavoie, Director of the Div. of Administration (This was an added item to the agenda).

Commissioner Bailey introduced Steven Lavoie who presented the following overview of the budget process.

- Our agency request was submitted at the beginning of the year.
- Governor's phase: His recommended budget was then submitted, and the funds for the Division were fully appropriated.
- What did NOT make it into the governor's budget: our request for an additional revenue source from 1% of total existing insurance premiums which are currently deposited into the General Fund. This would bring in approximately \$1.2 million extra per year.
 - * Though this proposal will probably not receive a great deal of support, it is important to try to suggest solutions in a pro-active way.
- The Fire Fund is projected to have a deficit in FY19 due to flat revenues.
- Next step: In the House Phase, we will introduce our revenue proposal again.
- There have been 2 work sessions with Division 2 of the House Finance Committee, with a 3rd scheduled to hear about their ideas for a revenue source.
- Shortfall prediction: about \$2 million over the course of 2 years. In FY18, the Fire Fund would just barely break even or run a deficit, and then run a significant deficit in FY19.
- Key takeaway: We are working closely with the House, focusing in on the fact that this is a revenue issue rather than an expenditure issue. If this focus shifts, then we are looking at cuts which would affect provided services.
- Average annual increase in the budget: personnel and insurance costs rather than the operating budget. The increase in our budget for the next fiscal year is being made up with Assistance to Firefighters Grant (AFG) money; additional \$500,000 in federal funds.
- The overall Division budget is increasing about 6% in FY18 versus FY17 and 9% in FY19 versus FY17 (all being driven by federal funds).
- The actual draw on the Fire Fund is 1% less in FY18 and then 1% greater in FY19, resulting in a flat budget operationally.
- Trying to leverage available federal funds, but at this point, we are not seeing a way out without a new revenue source.

- * The Fire Fund is funded with revenue from motor vehicle record requests from insurers, credit reporting agencies, and data aggregators.
- A cut of \$1 million would result in a significant cut in Firefighter I and II programs.
- Commissioner Bailey told the group that the best way to lend assistance right now is to make sure that constituent groups lend their support to the missions and importance of the Fire Academy and the Fire Marshal's Office. If the House does not fund the full operation, then this will require a second look at a different collective and pro-active approach. Contact information for Division II Finance Committee members:
 - Hon. Neal Kurk, Chair (R-Weare)
rep03281@aol.com
 - Hon. Daniel Eaton (D-Stoddard)
daniel.eaton@leg.state.nh.us
 - Hon. Karen Umberger (R-Conway)
karen.umberger@leg.state.nh.us
 - Hon. Thomas Bucu (D-Carroll, District 2)
tom.bucu@leg.state.nh.us
 - Hon. Kenneth Weyler (R-Rockingham, District 13)
kweyler@aol.com
Hon. Steve Vaillancourt (R-Hillsboro, District 15)
steve.vaillancourt@leg.state.nh.us

III. Non-Public Session

A motion was made (Carrier/Bailey) - to enter into non-public session to hear 3 cases relating to course exams; passed unanimously.

IV. New Business

Item 3. Director Pendergast's re-nomination (This item was taken out of order.)

Director Pendergast spoke to the group, asking them for their support of her re-nomination as the Director of the Division of Fire Standards and Training & EMS. Her current term expires on March 31st, and she will have to be re-appointed by the Governor with the consent of the Executive Council.

After her remarks about what has been accomplished during her tenure, the Director addressed Commissioner Pratt's concern about the closing of training facilities in the state. He asked if PFOA testing had been done at the Academy

as it was done at other training facilities. Director Pendergast stated that Class B foam was not used at the Academy. Commissioner Degnan explained that the Dept. of Environmental Services determines where the testing will take place based on priorities. The Academy was not on its list of priorities.

Motion (Smith/Joyal) – to support the Commissioner’s recommendation to re-nominate Deborah A. Pendergast as the Director of the Division of Fire Standards and Training & Emergency Medical Services; passed with one abstention by Commissioner Pratt.

NOTE: Commissioner LeBlanc left the meeting at this point (10:10AM)

**Item 1. Driver/Operator All Vehicle program
(This item was taken out of order.)**

- Assistant Director Jeffrey Phillips reported that 2 public comments were received regarding the program; one had to do with eliminating the parallel parking skill from the curriculum, and the other had to do with the endorsement of the inclusion of TIMs module as part of the curriculum. The commission members agreed that keeping the parallel parking skill in the curriculum is still important because it is a higher level of training for students to achieve as well as good preparation for CDL testing.
- Assistant Director Phillips brought a copy of the program packet for Commissioner Thibeault to sign.

A motion (Joyal/Pratt) was made – to adopt the Driver/Operator curriculum as originally presented at the public hearing; passed unanimously.

An explanatory letter will be sent to the person who made the public comment about parallel parking.

V. Approval of Minutes

**Item 1. February 2, 2017 regular meeting
(This item was taken out of order.)**

A motion ((Joyal/Bailey) was made – to approve the minutes from the February 2, 2017 regular FST Commission meeting; passed unanimously.

VI. Committee Reports

Item 1. Fire Marshal’s Office (J. William Degnan)

- Commissioner Degnan thanked the FST Commission members for their support of his re-nomination as the NH Fire Marshal.

- Smoke detector saves – There were several fires last week in which smoke detectors played a significant part.
- Red Cross program on smoke detectors: They will install at no cost in any community in the state. In Portsmouth on February 14th, one of their installations saved a life.
- Fire Prevention Safety Grant: smoke detector program to target the 21 most-at-risk communities identified by “Healthy Homes”; this was just accepted by Governor and Council.
- Derry: There was a sprinkler save in a school this past week. (Combustible materials were too close to a motor in a utility room.)
- Grant for fire mobilization plan training - \$9,500 will be going to the Fire Academy to do an online introductory training program. \$10,500 will go to outreach introductory training for fire departments; then, when they apply for exercise funds, they will have a better idea of what the mobilization plan entails.
- Voluntary cancer registry – Commissioner Degnan did a survey of state fire marshals across the country; 22 have responded. Twenty states did not have any cancer registry; 1 has an online basic registry; and the other is more of a study being done by the University of Miami. Better data will be needed as we move forward to try to pass presumptive legislation on cancer.
- Fire Service Summit – needs and priorities of NH fire departments. A survey was sent out to all constituent groups; data from this survey will be available for the summit.
- Commissioner Smith suggested that more should be done in terms of education to support smoke detectors for the hearing impaired. Commissioner Sherman supported this suggestion, adding that schools dealing with hearing impaired students should also be educated about this issue.

Item 2. Forest Protection Bureau (Steven Sherman)

- Spring fire season and spring warden refresher trainings are underway. About 20 trainings are planned throughout the state over the next month. The information collected by engine crews who traveled to other states last year has been integrated into this training; there are many similarities in terrain, etc. that could be useful to us here in NH.
- Fire Marshal Degnan commented on how seamlessly his Division worked with the Forest Protection Bureau last year.

Item 3. Curriculum Review (Assistant Director Jeffrey Phillips)

Current visiting committees approved:

- Hazardous Materials Decontamination: currently reviewing curriculum to ensure it meets the NFPA standard
- Fire Officer III & IV: Visiting committee has held two meetings. The general consensus of the groups is to go with the IFSTA program. We are currently attempting to get copies of other State approved programs to view them.
- Airport Firefighter: First visiting committee meeting is scheduled for March 17, 2017
- Fire Investigator: currently working through ProBoard requirements. The test bank has been validated in conjunction with the Fire Marshal’s office. They are currently attempting to finalize the practical skill evaluations.

Current ProBoard certification Profile:

Standard	Level	Edition	Current NFPA Ed	Next Edition
472	Hazardous Materials First Responder at the Awareness Level	2013	2013	*2017
472	Hazardous Materials First Responder at the Core Operations Level	2013	2013	*2017
472	Hazardous Materials First Responder at the Operations Level: Personal Protective Equipment Mission Specific Competency	2013	2013	*2017
472	Hazardous Materials First Responder at the Operations Level: Product Control Mission Specific Competency	2013	2013	*2017
472	Hazardous Materials Technician	2013	2013	*2017
1001	Fire Fighter I	2013	2013	2018
1001	Fire Fighter II	2013	2013	2018
1002	Driver/Operator of Fire Apparatus Equipped with a Fire Pump	2014	2014	2017
1002	Driver/Operator of Fire Apparatus Equipped with an Aerial Device	2014	2014	2017
1003	Airport Firefighter	2015	2015	2019
1021	Fire Officer I	2014	2014	2020
1021	Fire Officer II	2014	2014	2020
1031	Fire Inspector I	2014	2014	2021
1031	Fire Inspector II	2014	2014	2021
1041	Fire Instructor I	2012	2012	2019
1041	Fire Instructor II	2012	2012	2019
1041	Fire Instructor III	2012	2012	2019
1051	Wildland Fire Fighter I	2016	2016	2020
1051	Wildland Fire Fighter II	2016	2016	2020
*NFPA 1072 should be released shortly and will replace NFPA 472 as a Professional Qualification Standard				

Current programs in development for online delivery:

- Fire Cause and Determination I & II
- EMS in the Warm Zone Operations level
- Wildland Firefighter I - NWCG program has been finalized and is being deployed to the current spring programs.

NOTE: Commissioner Carrier will attend the ARFF visiting committee meeting on Friday, March 17th as a representative of the FST Commission.

Item 4. EMS Coordinating Board (J. Thibeault)

The CB has not met since the last FST Commission meeting on February 2, 2017. The group is scheduled to meet on Thursday, March 16, 2017.

V. REPORT OF THE DIRECTOR

Facilities:

- The FAA Grant funding has been awarded, and the ARFF upgrades will be taking place this winter. Karilla has been awarded the contract for the upgrades and replacements, and that work has begun. We do have an NFPA 1003 airport FF program scheduled for May. We also have an active committee looking at upgrading the curriculum.
- Chief Phillips and I are continuing the process of meeting with vendors and getting pricing for replacing the auditorium seating.

Apparatus:

- Our new ambulance arrived on campus. This was an AFG grant funded purchase. We are in the process of equipping and lettering that vehicle. We also made a conditional offer to a candidate for the program coordinator position for our EMS simulation program. We are also expecting delivery of our new pumper/engine in the next two weeks.

Budget:

- We hosted the Div. II finance committee at the Academy last week.
- We are more than halfway through our fiscal year and our expenditures are on track; we are where we want to be at this point. We are continuing to work with the Commissioner's Office and the Legislature to address the future of the Fire Fund. We are expected to lapse the appropriate amount of funding requested from the Commissioner. The Fire fund at this point in the year compared to last year is up 2.25%

Programs:

- Changes made to State CPAT. We are running the tests this year in April, June and September. We have our new South East Field Captain, Laurie Miller, going through orientation.

- The FMO and our Division met with the Commissioner’s Office to continue to discuss the possibility of hosting a statewide fire service reporting system.
- Year-end 2016- We had 17,702 student interactions including online, certification programs, seminars, continuing education and on and off-campus classes including teleconferencing.
- Opioid crises- 460+ deaths related to Fentanyl and Heroin in 2016, our numbers show nearly 1300 saves with Narcan in NH. Now # 211 is a resource for addicts.
- Reminder that we will be having the Academy Award Ceremony on Monday Sept. 25, along with the annual COM. We are now accepting applications for awards
- I met with the new President of PFFNH and had great discussions involving budgets and curriculums.

VI. OLD BUSINESS

Item 1. Administrative Rules Sub Committee

- Commissioner Smith reported that the temporary rules got approved and will expire 6 months from when they were approved; we have to have a permanent set of rules in place before the temporary rules expire.
- Commissioner Smith asked the commission members to comment on the draft that was sent out by Jeffrey Phillips in preparation for being shown to the Commissioner. The commission members pointed out a few grammatical errors on page 26.
- The rest of the process: Once the Commissioner and Commission agree on a set of rules, with a goal of the April 6th FST Commission meeting for this to be accomplished, there has to be a fiscal impact statement done and submitted to the Legislative Budget Committee before the rules can move to JLCAR.

Motion (Joyal/Smith) – *to proceed to adopt the proposed rules, with the “annulment” corrections made on page 26 and other language corrections that are deemed necessary; subject to the Commissioner’s mutual acceptance, so that we can proceed to the JLCAR process; passed unanimously.*

NOTE: Assistant Director Phillips was asked to follow up with David Hilts to be sure the language corrections are acceptable and complete.

Item 2. May Retreat

- Chief Nick Mercuri passed out a draft agenda for the May 4th retreat and asked for comment from the group. (Mike Moranti will be the facilitator.)
- Commissioner Joyal suggested a change to the order of the agenda items and then asked if there was any functional overlap between the FST Commission and the 3 different EMS boards. Chief Mercuri explained that there was no overlap and went on to explain the functions of each of the 3 EMS boards.
- Chair Thibeault suggested that a discussion of the different sub-committee roles also be put on the agenda if time allows.
- Commissioner Carrier suggested that the focus should be on the roles of the commissioners.
- Commissioner Joyal wants to know the specifics about our constituents; who they are, how many there are, and what their certification levels are.

Item 3. Legislative Fiscal Committee/Sub Committee visit

At the NH Association of Fire Chief breakfast, Director Pendergast was approached by 2 members of the Public Safety Committee who expressed interest in re-visiting the Academy.

NOTE: An invitation will be extended to the members of the Criminal Justice and Public Safety Committees for April 10th. FST Commission members should let June Connor know if they will be able to attend and answer questions from the committee visitors.

Item 4. FST Commission membership

No approval letters have been received from Governor and Council regarding those commissioners whose terms have expired. The assumption is that they are being held up at the Governor's Office during the transition period. Commissioner Bailey and Assistant Director Phillips reported that the Executive Council has approved the re-nominations for Kerry LeBlanc, William Campbell, and Richard McGahey. Commissioner Pratt will check with the Governor's Office regarding his re-nomination.

Item 5. Fire Officer visiting committee feedback

Commissioner Carrier has not received any feedback. He reported, however, that the visiting committee is going very well.

VIII. NEW BUSINESS

All items covered out of order in the minutes above.

IX. GOOD OF THE ORDER

Attorney General’s Office Training – March 31st at the Fire Academy. The focus will be on licensing boards. Participants will learn about many aspects of what is involved in being on a board and/or commission. Commission members are welcome to attend. The day will be run as if it is a true board meeting.

Commissioner Joyal asked for a summary of the Division II Finance Committee visit to the Academy. Director Pendergast reported that their visit was successful and the 4 members who attended were very engaged and interested in what the Division does. There was a PowerPoint presentation followed by a tour of the campus. They also received a summary page when they left to go to their next appointment.

X. ADJOURNMENT

A motion (Joyal/Carrier) to adjourn at 11:20AM; passed unanimously.

Next meeting: Thursday, April 6, 2017

(Dry Lab-basement floor of Fire Academy)

Respectfully submitted,

Director Deborah Pendergast

(Minutes: June Connor, Administrative Assistant)