



STATE OF CONNECTICUT
COMMISSION ON FIRE PREVENTION AND CONTROL
OFFICE OF STATE FIRE ADMINISTRATION



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**MINUTES OF THE NOVEMBER 28, 2006 MEETING OF
THE COMMISSION ON FIRE PREVENTION AND CONTROL**

Chairman Peter Carozza called the meeting to order at 9:34 a.m. with the following members present: Commissioners Brady, Kowalski, Nicol, Schenck, Stankye, Walsh and Wilkinson.

Staff members Lewis, Morrissette and Piskura were present.

Attendees took a moment to pledge allegiance to the American flag.

Chairman Carozza called for introduction of guests by State Fire Administrator Jeff Morrissette.

Mr. Morrissette introduced Ms. Linda Kleinschmidt from the National Public Safety Education Complex (NEPSEC) and stated that Ms. Kleinschmidt was here a few months ago and made a presentation but due to lack of a quorum we did not have the ability to vote on the initiative.

Chairman Carozza welcomed Ms. Kleinschmidt to the meeting and asked if she was going to make an additional presentation.

Moving to item 5c.) National Public Safety Education Complex (NEPSEC) Proposal- Ms. Kleinschmidt remarked that she would provide an update for those Commissioners that were not present at the time she made her presentation to the Commission. She stated that NEPSEC is an educational facility for children, parents and all of the public safety community; (ie. training for fire, police, EMS and includes federal, state and municipal agencies). The complex will occupy approximately 50 acres and they are looking to either lease or purchase 50 acres. The working capital is expected very soon and they needed to find \$25 million as a down payment because they have been guaranteed the other \$80 million through a mortgage company. They have had meetings with the pension fund that has the \$25 million and they are very interested in supporting the project. She said there's a meeting scheduled with them this Friday at which time she has to provide them with two things; an updated business plan and the other is letters of interest from as many agencies/organizations as possible. She asked the Commission to provide a letter of interest or support which is not binding and the only ones to see the letter are the people providing the \$25 million and the bank.

Commissioner Schenck asked for a little background on the parent organization and the governance structure of the project.

Ms. Kleinschmidt remarked that NEPSC is a Connecticut corporation which she founded. Originally they were going to be non-profit but they've changed that model because if they accepted any funding from any agency they would have to favor that agency and they didn't want to do that. She said currently she has two partners involved in NEPSC and she owns 80%. Ten percent of the company is owned by Malcolm Brinton, who will be the Chief Financial Officer and is with Northeast Mortgage. The other partner is Bill Mallick, Chief Operations Officer who formerly worked for Sun Microsystems but has since retired. Mr. Mallick is in charge of creating a board of directors. They also have an Advisory Board who will provide them valuable input on the project as they move forward.

Commissioner Schenck also asked if this is the first complex like this.

Ms. Kleinschmidt replied it is the first, not only in the country, but in the world because of the way the public interacts within the facility.

Commissioner Schenck asked if there were contracts in place with any agencies.

Ms. Kleinschmidt said they don't have contracts in place yet and most of this is by word of mouth and letters of interest. She said they've had a catch 22 as they went along because they can't get the contracts signed until they have the property. They can't get the property until the funding is in place and they can't get the funding until they get the contract signed so they ended up pulling everybody together, knowing that there is interest out there and the funding is coming to pay for the project. After that meeting and those letters are in place, they will begin negotiations with the Matos Group on whether they will lease or purchase the property. She expects to begin getting contracts and more solid commitments from the different agencies and departments in the next few weeks.

Commissioner Schenck asked what the tentative date for operations is.

Ms. Kleinschmidt said if everything goes well the first phase of the project should be operational by this time next year, the latest January or February of 2008. The remainder of the project would be completed by 2009.

Chairman Carozza asked about the pension fund that was mentioned during the presentation.

Ms. Kleinschmidt said that she could not disclose the pension fund, but it is coming out of Washington and the investment of the \$25 million will be coming from that Fund.

Commissioner Kowalski asked who their primary target audience will be.

Ms. Kleinschmidt replied that they don't have a primary target audience. As far as the general public coming in for training, they are not providing any trainers just the facility so they will be contracting with at least a dozen training companies across the United States to have satellite offices.

Commissioner Walsh asked what a working firehouse is.

Ms. Kleinschmidt replied it will be a regular firehouse with fire trucks available for use in training and could be used in the event of a fire.

Mr. Morrisette asked if there are any preliminary pricing structures developed for the props or usage of the EVOC track, etc.

Ms. Kleinschmidt remarked that they have some preliminary planning set-up and one of the things they are going to be looking at is dealing with certain agencies that would commit for a longer period of time but they haven't worked out what those costs would be.

Commissioner Nicol asked if she could share with the Commission some of the letters of intent that she has received.

Ms. Kleinschmidt said she has a dozen in hand and 18 others that have been committed to her plus the letters she had from three years ago which includes federal, state and municipal agencies. She said they are also currently seeking letters from different fire departments and of course the Fire Commission and the Fire Academy. She also said they are not trying to take over any of the training, just to provide a state of the art facility.

Chairman Carozza thanked Ms. Kleinschmidt for attending the meeting and providing the update on NEPSC to the Commission.

Chairman Carozza moved to Agenda item 2) Approval of the Minutes of the October 31, 2006 meeting.

A **MOTION** was made by Commissioner Kowalski and **SECONDED** by Commissioner Wilkinson to approve the minutes of the October 31, 2006 meeting. Motion carried.

Moving to item 3) Staff Reports October 15, 2006 –November 14, 2006.

A **MOTION** was made by Commissioner Kowalski and **SECONDED** by Commissioner Wilkinson to approve the Staff Report for the period of October 15, 2006 - November 14, 2006 meeting. Motion carried.

Moving to item 4a.) Budget/Staffing Update –Mr. Morrisette reported regarding the budget. We submitted our 10% Budget Reduction on November 9, 2006. One of the areas which is still not resolved is the area that reflects the budget for the Regional Fire

Schools. He said the reduction option he proposed does not include the Regional Fire Schools although the Regional School line items count towards the agency's bottom line.

The Budget Reduction totaled \$368,399 which was comprised primarily of the elimination of the Supplemental Grant Award program. The other option goes to a reduction in part time salaries of about \$85,000 and a reduction in our Other Expense account which totaled \$73,000. He said we're trying to eliminate the Regional Fire Schools from impacting our bottom line. He said he's made a good faith effort, at least in the first round of proposed cuts to not impact the schools by our plan. In the future we may have to look at that and we would do so with their full knowledge.

Mr. Morrisette gave a staffing update. He said today is the closing date for appeals for those who applied for the Fire Service Analyst position. Originally, there were 12 applicants, three were approved as eligible in the first round and there was one appeal that he's aware of that was approved so there is currently four out of 12 on the certified list of eligible candidates. He said he should be receiving the list within a few days at which time we would look to begin scheduling interviews. As proposed at the last meeting he would look to the Commission for some volunteers to serve on the interview panel. He said if any Commissioner had an interest to serve on the panel to let Chairman Carozza know.

Moving to item 4b.) CSFA Education Committee Update – Commissioner Wilkinson reported that the Education Committee has not met since the last Commission meeting due to the Thanksgiving holiday so he has no report. The next meeting will be held on Thursday, November 30th in Wethersfield.

Moving to item 4c.) Supplemental Grant Program Update – Mr. Morrisette reported regarding the Limited Access Highway (LAH) Supplemental Grant Award Program. He said we had previously sent Commissioners the list of fire companies that had not responded to us and thanked those Commissioners that assisted for their efforts. We've received a number of calls but there are approximately 20 companies that we have not heard from. There is a deadline of June 1, 2007 for when the funding has to be expended or it will go back to the General Fund.

Moving to item 4d.) New London County IMT Recognition – Chairman Carozza stated that he knows we've tabled this item for several months now and he spoke to Chief DeLia earlier this week. He asked for the Commission's support in tabling this for one more month so he can address some issues with Chief DeLia.

Moving to item 4e.) Minor Firefighter Issue – Commissioner Brady reported regarding the Minor Firefighter guidelines. He said that they've been out to Tolland, Litchfield and Fairfield counties as well as to Valley Shore. Thus far they have received a very positive response from the fire service. The people that they've spoken to are very pleased with the fact that they now have some guidance. The question has continued to come up about what is considered to be proper training for those riding and responding on apparatus. This is something we are trying to work on defining more clearly. He also said at last

month's Commission meeting, Commissioner Ouellette made some comments to him that he had some major concerns about what the definition of training is and that is something we're working on at this point. In general the reception has been very positive and that is a good reflection on the Commission that we took a stand as the lead organization in promoting this issue.

Vice Chairman Kowalski also added that the consensus out there overall is very positive as far as the response they've received. We've had some concerns that it was too restrictive so the fact that the DOL was there was helpful and they will be looking into some other questions that were raised so we'll be meeting with them again for more interpretations. He said taking an active role proves very positive for the Commission. They plan to meet with the Hartford County Fire Emergency Plan next week.

Commissioner Nicol asked if these were DOL guidelines or requirements.

Vice Chairman Kowalski said the Commissioner of Labor has the ability to sign off on guidelines to determine specific functions especially child labor law issues. The Commissioner has given that latitude to come up with quasi-regulations so essentially we have to abide by child labor laws but these are the definitions of what the DOL believes the child labor laws are. He said the guidelines however are enforceable and if the DOL goes into a department, they can use that document to judge whether a department is doing something correctly or not.

There was a brief discussion on the penalties and fines if a department does not comply with the guidelines and an incident occurs.

Commissioner Johnson arrived at 10:00 a.m.

Commissioner Nicol asked about the brochure that was to be developed.

Commissioner Brady said that it's on the horizon and he expects that to be done over the winter months into spring time.

Commissioner Stankye asked if there was any plan to change the guidelines based on remarks received from the various fire service organizations specifically the guideline which prohibits junior firefighters under the age of 18 from performing any duty which involves the risk of falling a distance of 6 feet or more (including the use of ladders). He said quite a few departments use minor firefighters age 16-18 to repack the hose on the trucks and there isn't any fire truck today that's less than 6 feet high.

Commissioner Brady responded that the prohibition regarding minors working at a height greater than 6 feet has always been enforced and is nothing new; however this is a document that will be revisited.

Commissioner Johnson asked if the ultimate responsibility for dissemination is the DOL or the CFPC.

Commissioner Brady replied it is the Department of Labor.

State Fire Administrator Morrissette added that it was his intent to mail the DOL Commissioner's letter to all fire departments and he was waiting to see if a brochure would be developed to mail it along with the letter but with the brochure being delayed he doesn't want to wait anymore before it is disseminated.

Moving to item 4f.) Outside Employment 06-54 - Mr. Morrissette stated that at the conclusion of last month's Commission meeting there was a significant amount of discussion related to a policy we had instituted 06-54 related to outside employment of agency personnel. There was considerable concern on the part of the Regional Fire Schools, that was expressed at their last monthly meeting, that the interpretation would impact those individuals that worked for the Regional Fire Schools from continuing to work for the Regional Schools if they were employed by our agency or it may impact our decision to hire someone if they worked for a Regional Fire School. He asked Director of Training Piskura to make a brief presentation as it relates to this. He said it will erase some of the fears out there and clarify the intent of the policy.

Chairman Carozza left the meeting at 10:15 am.

Mr. Piskura said first he wanted to apologize for the confusion and because he had conflicting meetings he was unable to attend the last Commission meeting. He said we have had significant issues with maintaining our part time workforce and the program managers are constantly scrambling to fill teaching assignments so to address the issue, we've come up with a three prong approach. The first approach is developing customized software that does many things but in part it tracks the responses of Instructors and our intention is to use the revelations of this statistical report to identify habitual offenders of Tap Outs and take action accordingly. The term TAP OUTS was first used by Joe Mercieri who acted as a Program Coordinator for the CFA. We are currently in the process of beta testing that software and two Program Managers are using it and making adjustments as necessary. Eventually we'll get it fully operational and once it is, then we'll have some statistical documentation. He said the second approach was meeting with the Director of Certification and a representative of DAS Human Resources where we arrived at the point of separating our workforces. This will in the long run alleviate individuals from signing up for an assignment with one division and then taking a perceived better assignment for another division on the same day. The long range plan is to hire different people who all work for the Commission but if they are a Proctor or Examiner for certification then they can't be an Instructor for the CFA and if someone is an Instructor for the CFA they can't be an Examiner or Proctor. This will not affect individuals currently on the payroll. The third approach was to develop a policy and that was to get people to commit to working as Instructors and we have to deal with their competing priorities family, work. He said the policy was invoked mainly so people are on notice that we hired them because we value them and we want their time and to let them know what is expected of them as state employees. The policy was never designed to be punitive. He said this was rolled out because we're currently interviewing as we're

down almost 40 positions and we desperately need people to work. He also gave Commissioners an overview of the interview process and the questions that are asked of candidates. He said the Human Resource representative is present at all interviews and reviews the outside employment policy with the candidates. The policy has been reviewed by the Human Resources representative and they've agreed that it is applicable. At no time are we telling anyone that they can't do something, it is their own choice and we have no concerns with the Regional Fire Schools. There are people that we interview that wouldn't meet the expectations of a CFA Instructor and if they contact us, we've been given permission by Human Resources to talk to them about specifics and how they can improve. In almost every case if they are not already working for a Regional Fire School we recommend that they go to a Regional Fire School to develop their proficiencies and it is a common process and nothing is meant to be exclusionary. The policy is very general; it doesn't affect any current Instructors just new hires. He said if Commissioners had any questions he would be glad to answer them.

Commissioner Wilkinson said this began at the CSFA Education Committee meeting so he feels somewhat obligated. He said it was brought to their attention and basically related to them that candidates being considered for employment as Instructors for the CFA were being told if they decided to become Instructors for the Regional School subsequent to employment at the CFA it would jeopardized their status with the CFA. He said he doesn't see that written in the policy and that is where a lot of the confusion came about and that perception was relayed to them. He asked if an individual faces jeopardy if they are a good Instructor, organized, accepts a fair number of assignments, shows up regularly and just happens to be able to juggle some work for a Regional Fire School at the same time if that is an issue.

Mr. Piskura replied that he doesn't see it as such and provided an example of a new hire who is also the Assistant Director of a Regional Fire School.

A discussion period on the subject followed with some questions and answers.

Mr. Morrisette stated that Commissioner Ouellette could not attend today's meeting but had contacted him and shared his views on the policy. It was Andy's position that he felt the policy should be rewritten.

Commissioner Nicol added that there is a CSFA Education Committee meeting coming up on the 30th and the policy can be clarified at that meeting.

Vice Chairman Kowalski remarked that in his opinion, adding a clause to the policy stating that working at the Regional Fire Schools is not specifically a reason for a non hire and would go a long way. A motion would be in order to continue with the policy.

A **MOTION** was made by Commissioner Brady and **SECONDED** by Commissioner Wilkinson that there be some language added to the policy that excludes working for the Regional Schools as a reason for non-employment.

Commissioner Nicol said he understands the discussion but he would like to see the policy work at this point without modifying it and if there is a problem later on we can address it. He said we've heard the problems and we have to give the staff the tools they need to work with.

Commissioner Wilkinson remarked that he concurs with Commissioner Nicol that we should give the policy a chance to work before making changes.

Commissioner Stankye added that he's very sympathetic to the Regional Schools but he would like to back the staff here and from the discussions held today and the feedback given we should see how the policy works and if it doesn't work, he will be the first to ask for the Regional Schools to be eliminated from the policy.

Commissioner Brady remarked that there was a discussion at the CFDIA about this issue and this message should be communicated to that group and if he can get a commitment to that he would withdraw his motion.

Mr. Morrissette said if Commissioners were to hear concerns about someone not being hired as an Adjunct Instructor they should feel free to communicate with the Director of Training to discuss.

Commissioner Brady withdrew his motion.

Commissioner Johnson remarked that it is incumbent on all members of the Commission to go back to their own organization and communicate the policy with them to clarify any misinterpretations.

A **MOTION** was made by Commissioner Nicol and **SECONDED** by Commissioner Brady to support the policy as developed. Motion carried.

Moving to item 4g.) Fact Finding Forum PA 06-22 – Mr. Morrissette said he had no further updates on the issue from when we last met after the Commission meeting on October 31st. We're still trying to schedule a second meeting with some of the other principals who may not have been able to attend the first forum. He said he's been in touch with Representative Nafis to say we're approaching the deadline and not too far along. He said he believed she felt comfortable that as long as some progress is being made that is acceptable. He said it is a tough issue to address and he's not sure if we're going to be able to produce these guidelines. Chief Maglione of the Waterbury Fire Department forwarded to him that department's inter-local agreement. He will review the document to see if we can possibly utilize some of the language in the document to develop the guidelines. He said it was an interesting discussion held on October 31st and as soon as we have a second date set he will notify Commissioners. He said his original intent was to bring a small group together to meet with Chief Teale in Hartford but he's getting calls that people would like it to be in an open forum similar to what we did the first time around.

Moving to item 5a.) 2007 Proposed Commission Meeting Schedule – Mr. Morrissette stated that a proposed meeting schedule was distributed to Commissioners.

Commissioner Brady remarked that the 2007 July and December meeting dates are incorrect. The correct meeting date for the July is the 31st and the date for the December meeting should be changed to December 18th as the 25th is a holiday.

A **MOTION** was made by Commissioner Stankye and **SECONDED** by Commissioner Wilkinson to approve the 2007 Commission meeting schedule as amended. Motion carried.

Mr. Morrissette remarked that we will post the correct 2007 meeting schedule with the Secretary of the State.

Moving to item 5b.) December Meeting Status – Mr. Morrissette stated that traditionally we would cancel the December meeting and he proposes that the December meeting be cancelled.

A **MOTION** was made by Commissioner Stankye and **SECONDED** by Commissioner Brady to cancel the December 26, 2006 Commission meeting. Motion carried.

Vice Chairman Kowalski said we've heard the presentation from Ms. Kleinschmidt regarding the National Public Safety Education Complex and asked if there is a requirement for a letter of support.

Mr. Morrissette stated that Ms. Kleinschmidt had contacted him about two weeks ago asking for a letter of support. He indicated that at the time she made her presentation we did not have a quorum. He said he relayed to her some of the concerns that were discussed and the potential competition for funding negatively impacting the Regional Fire Schools. He told her he would place the issue on the next meeting agenda for a vote by the Commission because he did not want to offer a letter of support without the Commission's approval.

Mr. Morrissette introduced East Hartford Fire Chief Michael Eremita and welcomed him to the meeting. He asked Chief Eremita if he could comment on his conversations with Ms. Kleinschmidt about an active firehouse for East Hartford.

Chief Eremita said he's had discussions on the issue with his Mayor and wanted to have a discussion with Mr. Morrissette and Mr. Piskura later. He said he didn't want to disclose the content of those discussions in an open forum but the Mayor had similar concerns expressed by Mr. Morrissette.

Commissioner Brady asked if the Commission in the past had ever supported a non-profit such as this. He said it may not be a bad idea but he's concerned about setting precedence.

Mr. Morrissette said he doesn't recall that we've ever been solicited.

Commissioner Nicol remarked that he has some concerns particularly the mention of a Burn Building and the fact that we just had a discussion earlier in the meeting about competition. He said there are too many unknowns and even though we're not obligating ourselves with a letter of interest he feels that we may get ourselves into something that may come back to hurt us down the road because of the unknowns. He also said the only part of the project that could be beneficial to us directly would be the EVOC track they're proposing but other than that he doesn't see any value to us and he views this entity as a competition.

Commissioner Walsh added that Chairman Carozza had to leave the meeting and asked some consideration that we table this issue until we find out more about the project or vote to oppose sending the letter.

Commissioner Schenck remarked that he has some of the same reservations but on the other hand, he doesn't think we should close the door on something that might have potential value to us down the road. He said if the proposed project does have something of value from a training standpoint that we can't get money from the state to develop he'd be in favor of tabling it before we do anything and maybe in the meantime get a better feel for exactly what part of it would benefit us.

Vice Chairman Kowalski commented that on one hand it would probably be a positive thing to send a letter at this point in time but it is probably best to hold off until the issue of competition can be clarified.

Commissioner Walsh added that he concurs and that this project could be the downfall of this organization and they will be a definite competitor.

Commissioner Nicol said not only is this development a competition to our facility but it would be to the Regional Fire Schools as well. He said we're in a partnership with the Regional Fire Schools and he doesn't want to see something that would be competitive to them. He said maybe there is a need to talk with our representative from the Attorney General's office about the letter of intent.

Vice Chairman Kowalski suggested perhaps a motion of no action, until we have further information to make a decision would be in order instead of tabling it because that could be on our meeting agenda for a long time.

A **MOTION** was made by Commissioner Schenck and **SECONDED** by Commissioner Nicol that the CFPC will take no action on the request for a letter of support for the National Public Safety Education Complex project. Motion carried.

Moving to item 6- Comments from the public – Chief Eremita remarked that he appreciates the Commission's action on the last motion they took. He said he was hoping the Commission would not be in full opposition to the project because it does have some

development associated with it like restaurants, etc. so depending on how it progresses he will either be totally in support or against the project.

He also commented on agenda item 4g the fact finding Forum PA 06-22. He said he would like to be involved as much as possible since East Hartford is one of the departments that has the exclusionary clause. He said he has some clear cut issues he would like to discuss and be involved in. He said if possible he is making himself available to assist.

Moving to item 7 – Matters to be raised by Commissioners and staff – Mr. Morrisette reported that last Wednesday we took delivery of the three new Foam Trailers and if any Commissioner is interested in seeing them they are across the street on the training grounds. We're still working on the host locations and he received an agreement today from Willington Fire Department which would place a unit on the east end of I-84. Also Winsted is entertaining possible hosting a trailer unit there. We approached Torrington originally and they don't have any space for the Trailer so they recommended Winsted to serve as a secondary spot in the northwestern part of the state. He said Winsted has a draft agreement but he hasn't heard back from the Chief as of yet. The third location is still up in the air and he's talked with Chief Johnson about our options in Fairfield County. He said we've had offers from four locations which include Greenwich, Norwalk, Stony Hill and Danbury. He said there are pros and cons to each of the locations. He also said subtle improvements were made to the units and we should have a bulk foam delivery soon.

Commissioner Brady reported regarding the Training Bill proposal. He said there have been a group of people meeting including Mr. Morrisette, Mr. Piskura, representatives from the CSFA, the CFCA, as well as the CFDIA to develop a position paper on putting forth a Training Bill to the Legislature this year. He said they've had two meetings and another one scheduled for next week and hopefully after that meeting they will have a draft of the position paper ready. He said Chief LaVecchia of Milford has talked with House Speaker James Amann who has agreed to sponsor the Bill. We're moving forward with that proposal and our intention is to also make the Governor and her office aware. He said when the proposal is finalized he will circulate it to members of the Commission so they can see what it is all about and where we're going with the proposal. This is something we're going to need everyone's support with across the board and if we do this it would be a major accomplishment.

Vice Chairman Kowalski moved to item 1- CFA Updated Promotional Video - Mr. Morrisette said before Commissioners leave today we will show an updated CFA Promotional video for those interested. He said the last one we had produced is probably 10 years old. We have a new adjunct on staff that has a specialty in videography.

Mr. Piskura distributed copies of the 2007 schedule of speakers for the Seminar series which has some interesting speakers. He also distributed to Commissioners the National Fire Academy regional delivery which will be hosted in Worcester, MA this year. Also TRADE Region 1 is offering a \$100 stipend to anyone that attends to offset the hotel

cost. He said it is a NFA delivery class within the region and they decided to hold it in MA to appeal to the greatest number of attendees.

Mr. Morrissette added that there will probably be three deliveries of that program in Connecticut beginning in January in the southeast part of the state. Another delivery will be in February down in the Fairfield region and then in March here at the Fire Academy on alternating weekends. He said it is a six-day commitment. This is mandated training for individuals serving on Incident Management Teams.

Mr. Piskura asked members of the Commission to let him know if they have any problems with the shirts that were ordered.

A **MOTION** was made by Commissioner Schenck and **SECONDED** by Commissioner Brady to adjourn the meeting. Motion carried.

Vice Chairman Kowalski adjourned the meeting at 11:40 am.

Dated:

James P. Wilkinson, Secretary
Commission on Fire Prevention and Control