



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

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1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

May 15, 2018

MEMBERS PRESENT

Alan Robinson, Jr., Chairman
Ron Marvel, Vice Chairman
David J. Roberts
Tom DiCristofaro
Lynn Truitt
Marvin C. Sharp
Ted Walius

ALSO PRESENT

Patricia Davis, Deputy Attorney General
Patrick Matthews M.D., BLS Medical Director
Sherry Lambertson, Executive Specialist
David J. Truax, Investigator/Compliance Officer
Grover P. Ingle, State Fire Marshal
Robert P. Newnam, Director, State Fire School

GUESTS

Jay Jones, DVFA
Richard Toulson, Past President, DVFA
Bradley M. Gosch, Ambulance 64
Charles Frampton, Brandywine Hundred Fire Co.
Elmer Steele, PP DVFA
Paul Eichler, Del. Fire Sprinkler Coalition
Richard T. Perillo, DVFA
Warren Jones, DVFA
Steven Deery, Indian River Vol. Fire Co.

GUESTS CONT.

W. Mike McMichael, DSEMSA
Willard (Bill) Betts, DVFA
Billie Jo Bullock, Indian River Vol. Fire Co.
Brennon A. Fountain, Carlisle Fire Co.
Gwendolyn Fountain, Public Guest

CALL TO ORDER

Chairman Robinson called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF APRIL 17, 2018 COMMISSION MEETING MINUTES

It was moved by Commissioner Dicristofaro, and seconded by Commissioner Roberts that the minutes of the April 17, 2018 Commission meeting be approved. Motion carried by unanimous vote.

REGULAR BUSINESS

REPORT OF THE STATE FIRE MARSHAL

INFORMATIONAL ITEMS

Personnel Items

Fire Marshal Ingle reported that Deputy Fire Marshal III Brian Schad has returned to full-duty work from extended medical leave. As a result of his return, Deputy Fire Marshal Scott Walker will return to work in New Castle County.

Deputy Fire Marshal I John Yedinak has been promoted to a Deputy Fire Marshal II after meeting the minimum requirements and completing all of the necessary elements to be promoted. This became effective March 13, 2018. Fire Marshal Ingle stated that Deputy Yedinak has done a good job for the agency within the last year.

Deputy Fire Marshal I Tyler Sipple is scheduled to attend two weeks at the National Fire Academy for the Fire and Arson course. This will complete the training that he needs for his probationary period.

Personnel Items cont.

Deputy Fire Marshal III John Galaska has received a Service Award for 15 Years of state service. Deputy Galaska is the agency K-9 handler and has always done a good job for the agency. It was moved by Commissioner Dicristofaro, seconded by Commissioner Roberts to send a letter recognizing Deputy Galaska for his service award. Motion carried by a unanimous vote.

Fire Marshal Ingle received a resignation from Administrative Specialist I Donna Burnett of the Dover Office. Her last day of employment is May 25, 2018. He would like approval to fill the anticipated vacant position. It was moved by Commissioner Dicristofaro, seconded by Commissioner Roberts to authorize Fire Marshal Ingle to fill the vacant Administrative Specialist I position in Kent County. Motion carried by a unanimous vote.

Fire Fatalities

On April 19, 2018, Wilmington Fire Department had a fire fatality on the 2100 block of N. Washington St. in an apartment building. There were working smoke alarms with other circumstances that did not allow the victim to escape the dwelling. This incident remains under investigation. This is the sixth fire fatality of the year.

On April 29, 2018 just before 1PM, Citizens Hose Fire Company was dispatched to a single family dwelling fire in the 200 block of West Big Oak Woods Road. On arrival the dwelling was heavily involved in fire. During fire suppression a deceased victim was found in the dwelling. There were no working smoke alarms, and the incident is currently under investigation. This is the seventh fire fatality of the year.

On May 9, 2018, Seaford Fire Department arrived at an outdoor fire as a result of open burning in a rear yard where embers escaped and burned an enclosure. As a result of a shed catching fire a 92 year old victim received first and second degree burn injuries over 70% of his body. He was transferred to Crozier Burn Center where he succumbed to his injuries. This is the eighth fire fatality of the year.

HB 53/ SS 1 to SB 91

Fire Marshal Ingle reported that HB 53 passed with a couple of amendments. Sparklers will now be legal in Delaware. No explosive devices will be allowed.

HB 53/SS 1 to SB 91

SB 91 is currently being discussed with regard to carbon monoxide detection. It appears that the bill will pass without concerns. The Office of State Fire Marshal will be placed in charge of managing the program.

Sprinkler Side by Side – May 19, 2018

Fire Marshal Ingle reported that his agency will be participating in the Sprinkler Side by Side demonstration on May 19, 2019 at the Delaware State Fire School Dover location.

Chief of Technical Services Duane Fox and Chief Deputy Scott Bullock have assisted in building and assembling the Sprinkler Side panels for the demonstration. Fire Marshal Ingle appreciates their participation and time involved.

Fire Report

Fire Marshal Ingle reported that an investigation remains underway with regard to several pipe bombs that were confiscated in April. The evidence is currently being analyzed as well as some of the electronics that were confiscated.

On April 23, 2018 Selbyville Fire Company responded to the Mountaire Poultry Plant where heavy fire was coming from the third floor through the exterior of the building. The plant was in operation at the time. Heavy damage was caused by a malfunction of a power transformer.

On May 8, 2018 Carlisle Fire Company responded to Nice and Fresh Barber Shop with fire showing from the rear of the business. There was major structural and content damage that was caused by interior combustibles and a malfunctioning light fixture.

On May 8, 2018 Christiana Fire Company responded to Village of Canterbury apartment complex with heavy fire on the third floor that extended to the roof area. There was extensive damage to the apartment complex and the fire remains under investigation.

May 3, 2018 Odessa Fire Company responded to a Townhome fire in Willow Grove. The fire was the result of discarded smoking materials. The fire caused severe damage to the structure.

DFIRS Incidents Received

TOTAL STATE PARTICIPATION IN COMPLIANCE
80 %

DELINQUENT DEPARTMENTS

New Castle County	
Cranston Heights	January – March
Holloway Terrace	March
Odessa	March
Port Penn	February – March
Kent County	
Bowers	January – March, May – August, October, 2017 January – March 2018
Cheswold	June, August – December 2017
Hartly	January – March
Houston	March
Magnolia	March
South Bowers	May – December 2017
Sussex County	
Georgetown	February – March
Laurel	February

OVERDUE REPORTS BY DAYS

30 Days	60 Days	90 Days	90+ Days
4	3	2	3

Source: DFIRS Incidents received as of 5/04/18.

REPORT OF THE STATE FIRE SCHOOL DIRECTOR

Director

- Student Injuries
 - SFFS, Passed out during Search and Rescue – refused services
 - In-Service – Gas Pad – overheated, returned to service
 - Haz. Mat. Tech. – cut to forehead – transported to KGH
- Received trailer for the Haz. Mat. Demo props
- EMT Program – update to new Brady Text Book, 11th edition
- AHA eCard policy for Agencies affiliated with DSFS – pay for cards, process their class. Electronic cards will be purchased from the Fire School and will be uploaded to the students account.

Director cont.

- Bond Bill Hearing, May 16th – Rescue Tools, recommended – Rest Rooms, not recommended
- DTI meeting last Wednesday – status of upgraded to the DSFS computer record system. It is anticipated to be completed in one year.
- Instructors inactivated for not meeting the requirements of an active Instructor may after one year request re-instatement in writing to the Director. When Instructors went from being contractors to casual seasonal employees of the State of Delaware, limitations were placed on the number of hours that they could work as well as if they did not work in a six month period of time they had to be deactivated. They will now get a warning letter after six months and dropped after one year of not accepting a contract with the school. This keeps the school in compliance with state requirements.

Staff Activities

- 5th Annual Del. Statewide Continuity of Operations Plan (COOP) Exercise – 5/16 – Senior Instructor Brennan
- Fire Behavior/Dynamics Train the Trainer class UL/NIST in Dallas May 6-9 – Senior Instructor Dempsey
- SERT response 1 Hausel Road, Port of Wilmington – leaking fuel tanker – Senior Instructor Brennan
- SERT response – Mountaire Farms, Hosier Street, Selbyville – 04-23 – Senior Instructor's Lowe and Stephens
- Hosting Sprinkler demo. May 19th – Senior Instructor Lowe - Delaware Fire Sprinkler Coalition & DVFA
- Fort Worth, TX 05/06-9 - Fire Behavior/Dynamics Boot Camp – Senior Instructor Dempsey
- New York State Fire Chiefs – Fire Prevention Conference – 05-05, Training Educator O'Malley
- AFG Grant review round 2 in Anniston, Alabama May 14-19 – Senior Instructor Gajdos
- Conducted Rescue Certification for Wilmington Fire – 54 students – Senior Instructor Wilson

Programs/Courses

Figures in red are reference to last year's comparison of class attendance.

- Current Month
 - Haz. Mat. Conference – hosting – 196 attendees Friday, 124 attendees Saturday
 - Haz. Mat. Tech. Course – 21 students (23)
 - EMR – Kent weekday – 25 students (23)
 - Haz. Mat. Tech Refresher – 16 students (5)
 - Brigade – Leadership Skills – 5 students (5)
 - EVO – Sussex Division – 21 students
 - EVO – New Castle Division 16 students (35)
 - Fire Behavior Observation – 2 student – Fire Behavior Advanced – 7 student
 - Rope Rescue 1 – 9 students (19)
 - RIT Basic – 26 students
 - Nozzle Forward Class (*weekday*) Special Seminar – over 80 students
 - Haz. Mat. Tech. – 24 hour – 2 students (1)
- Divisions Usage
 - New Castle Division – 19 scheduled classes (25)
 - Kent Division – 7 scheduled classes (7)
 - Sussex Division – 2 scheduled classes (2)
- Additions – Revisions
 - Haz. Mat. Tech program – updated and revised tanker section with props - Stephens

EMS

- Current Month
- Current Month
 - CEU programs – 7 programs scheduled (5)
 - Completed Spring EMT class – 59 students completed
 - Voluntary withdrawal – 4 students NCD, 5 students KCD, 1 student SCD
 - Students failed class portion – 2 NCD, 3 KCD, 5 SCD
 - Students that failed the class portion were not permitted to participate in the practical testing.
 - Students failed practical's – 1 NCD

- Issue with a student re-testing Unit 4 test. An instructor allowed a student to retest after failing a test. That is a violation of the DSFS policy. Director Newnam will afford the opportunity to three additional students that also failed the test.
- June accelerated EMT course – 22 students
- July accelerated EMT course - 16 students
- Additions – Revisions – Fall EMT courses at the Divisions
 - Returning to classroom Instruction all sessions
 - Class schedule to include 2 weeknights and every other weekend
 - 1830 to 2230 class times on week nights (proposed)
 - Increase practical skill sessions both evenings and Sunday dates
 - No change to class policies, grading, attendance or testing

Public Education and Injury Prevention - Activity Report

- **Current Month**
- Fire Safety Programs – 2 scheduled (7)
- DSFS Tours – 1 scheduled (1)
- Fire Safety Displays – 1 scheduled (4)
- Injury Prevention Programs – 7 scheduled (5)
- Injury Prevention Events – 1 scheduled

Maintenance – Building and Grounds

- Support of training classes
- New Board for various plaques
- Status – HVAC project
- Status – Office remodeling project

Financial

- Past Due Billings
 - 30 days – 550.00
 - 60 days – 3,705.00
 - 90 days – 200.00
 - 20678 Tuition Fund – 451,445.00
 - Accounts receivable – 87,109.00
 - Revenue Comparison
 - o Tuition – 2018 – 72,988.29, 2017 – 80,135.00
- Special Funds Summary – The Special Funds Summary report was submitted to the Commissioners for review.
- Expenditure Report – The Expenditure report was submitted to the Commissioners for review.

Staff and Office Staff Meeting Minutes

Staff and office staff meeting minutes were submitted for Commission review

Scheduled Activities

- Director Newnam will be taking Annual Leave May 25th.

BLS MEDICAL DIRECTOR

The Narcan distribution plan for the OEMS Narcan stock has begun. 420 have been distributed in Kent and Sussex Counties to date. New Castle County is currently able to obtain their Narcan through an arrangement made with a pharmacy. There are 10 Kent County Companies that received and 20 Sussex County Companies participating in the Narcan distribution. Kent County companies received 150 Narcan kits and Sussex County companies received over 280 Narcan kits. Dr. Matthews is unaware of any new Kent and Sussex County Companies that have asked to participate in the Narcan distribution program. No companies have requested a resupply at this time.

Dr. Matthews reported that the flu season has lifted after a divesting influenza season. To date there are over 8,000 lab confirmed cases in Delaware compared to 4,500 last year. Thirty two flu related Delaware deaths. There second wave of influenza B, has not been severe as it was originally feared to be.

BLS Medical Director cont.

The ALS and BLS Standing Orders Committee is continuing with the Medical Director review. The ALS portion is under review and BLS will follow. They are still on the path of having the ALS and BLS Standing Orders prepared for the DVFA Conference this year in September.

REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER

18 Annual Ambulance Unit Inspections
0 New Unit Inspections
9 Complaints Received
6 Arrest Notifications were received.
2 New Investigations
10 Open Investigations 2018
10 Open Investigations 2017

Investigator Truax requested the closure of Case Numbers 1811.

It was moved by Vice Chairman Marvel, seconded by Commissioner Dicristofaro to close Case Number 1811 per the recommendation of Investigator Truax. Motion carried by a unanimous vote.

REGULAR BUSINESS

ACTION ITEMS

Indian River Vol. Fire Company – Secondary Contract Information

Fire Chief Steven Deery of Indian River Fire Company addressed the Commission. He reported that he has contacted Mid-Sussex Rescue after the April, 2018 Commission meeting to discuss becoming a secondary ambulance provider to their district. Chief Deery reported that he spoke to President Raymond Johnson of Mid-Sussex Rescue at which time he was assured by President Johnson that they would have a meeting to discuss the possible contractual agreement. Chief Deery stated that he never heard from him again. Commissioner Marvel stated that it appears Mid-Sussex Rescue is ignoring the call.

Commissioner Dicristofaro asked the Chairman if it was his understanding that the Commission was going to let this go another 30 days without giving the residence of Indian River or the Fire Chief some relief? Chairman Robinson asked how it could legally be done. Commissioner Dicristofaro stated that he made a motion in April against the advice of the Deputy Attorney General to give Indian River Vol. Fire Company a temporary secondary ambulance permit to operate in their district.

Indian River Vol. Fire Company – Secondary Contract Information cont.

DAG Davis reported that the motion was made and it failed. Commissioner Dicristofaro stated that he realized that it failed and he was making the exact same motion on a 45 day basis to get them to the next month. Commissioner Roberts was concerned about how the unit(s) would be dispatched. Commissioner Dicristofaro stated that the counties are not told how to dispatch. Commissioner Roberts stated that patient care is the Commissions number one concern.

It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Marvel to give Indian River Vol. Fire Company a temporary 45 day secondary ambulance permit for their district. This permit will be dependent on a completed application and a successful inspection of their ambulance unit. The permit start date will begin on May 15, 2018 and be dependent on a completed application and successful inspection. Motion carried by a roll call vote.

Commissioner Dicristofaro -	Yes
Commissioner Sharp -	Yes
Commissioner Walius -	Yes
Commissioner Roberts -	No
Commissioner Truitt -	Absent
Vice Chairman Marvel -	Yes
Chairman Robinson -	No

Mid-Sussex Rescue – Review Rule to Show Cause Hearing Notice

The Commission reviewed a proposed Rule to Show Cause Hearing Notice for Mid-Sussex Rescue to appear at the June 19, 2018 meeting at 11:00 a.m. It was moved by Vice Chairman Marvel, seconded by Commissioner Roberts to accept the notice. Motion carried by a unanimous vote.

Case No. 1718 – Rule to Show Cause Hearing

A Rule to Show Cause Hearing was held in the case of 1718, EMT Brennon Fountain. The hearing was opened by Deputy Attorney General Davis and all witnesses were sworn in. Deputy Attorney General Plerhoples address the Commission and Mr. Fountain during the hearing. Mr. Fountain spoke on his behalf. After deliberation it was moved by Commissioner Dicristofaro, seconded by Vice Chairman Marvel to acknowledge that Mr. Fountain violated Commission regulations by committing professional misconduct. As a result of that violation, he will be disciplined in the following manner. His certification shall be suspended for one year, which will be stayed for one year of probation. During which time he is to provide monthly reports stating that he is in compliance with his treatment and attending counseling sessions twice per month. And, he must comply with all laws and regulations pertaining to the conduct of licensees. Any violation of the terms will result in an automatic return from probation to suspension. At the successful completion of his probation, it will result in the immediate termination of his probation without further hearing.

Case No. 1718 – Rule to Show Cause Hearing cont.

Motion carried by a roll call vote.

Commissioner Dicristofaro -	Yes
Commissioner Sharp -	Recused
Commissioner Walius -	Yes
Commissioner Roberts -	Yes
Commissioner Truitt -	Absent
Vice Chairman Marvel -	Yes
Chairman Robinson -	Yes

Marydel Fire Co. Rule to Show Cause Hearing

A Rule to Show Cause Hearing was held to give Marydel Fire Company an opportunity to present a corrective action plan for excessive scratch rates within their district. Pursuant to the Delaware Emergency Medical Services Improvement Act of 1999, the State Fire Prevention Commission monitors the response time of each ambulance service provider, and this Commission is empowered to take action to rectify any ambulance service provider that has excessive scratches. The Act defines a scratch as any instance where a BLS ambulance is alerted but does not respond to a call for assistance. The Act further defines excessive scratches as the number of scratches exceeding a pre-established number of percentage for each BLS provider, determined and communicated annually in advance to the provider by this Commission. This Commission has ruled that the term “excessive scratches” will be defined as over 9 percent for any BLS service provider.

Chief Madden presented before the Commission. He stated that he is aware this is not the first time they’ve been called to explain an excessive scratch rate. He explained that there were some internal issues with a member of the Board of Directors and management positions. This Ambulance Captain is no longer carrying those management responsibilities and scratch rate have begun to improve. Management is now done by the President and Chief. He reported also that his wife has been sick and one other member was injured during a horse riding accident. They have hired seven new EMTs and feel they are on the right path. It was also discussed that it is both Delaware and Maryland calls that are being looked at because they are a boarder company. They require all of their EMTs to be dual certified so they are able to run in both Delaware and Maryland.

It was moved by Commissioner Dicristofaro, seconded by Sharp that because Marydel has indicated it is making a concerted effort to improve its scratch rate, the Commission has determined that decertification is not appropriate at this time and that they will continue to monitor the scratch rate. Motion carried by a unanimous vote.

NEW BUSINESS

No report at this time.

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

None.

MISCELLANEOUS INFORMATION

No report at this time.

PUBLIC INFORMATION

Paul Eichler of the Delaware Fire Sprinkler Coalition invited the commissioners to attend a Home Fire Sprinkler Side by Side demonstration at the Delaware State Fire School on May 19, 2018. Mr. Eichler thanked the Fire Marshal, Fire School and Fire Commission for all that they have provided to make this possible.

REPORT OF THE COMMISSIONERS

Chairman Alan Robinson Jr.

Chairman Robinson reported that he attended the Monthly Fire Prevention Commission Meeting, DEMSOC Meeting, Citizens Hose Fire Company Board of Directors' Meeting, and Protocol Meeting at DHCI in Smyrna.

Vice Chairman Ron Marvel

Vice Chairman Marvel reported that he attended the Monthly Fire Prevention Commission Meeting, Seaford Fire Department Meeting, Sussex Firefighters Meeting, Dover Auditors Report Meeting, Kent County Firefighters Meeting, and Delaware State Fire Chiefs Meeting.

DATE OF NEXT MEETING

June 19, 2018 – 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Commissioner Dicristofaro, and seconded by Vice Chairman Marvel that the meeting be adjourned. Motion carried by a unanimous vote. The meeting was adjourned at 10:54 a.m.

Respectfully submitted,

Sherry R. Lambertson

Sherry R. Lambertson
Executive Specialist

sl/