



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

September 17, 2019

MEMBERS PRESENT

David Roberts, Chairman
Alan Robinson, Jr., Vice Chairman
Ron Marvel
Lynn Truitt
William C. Kelly - Absent
Joseph J. Leonetti, Sr.
Bill Betts

ALSO PRESENT

Joseph C. Handlon, Deputy Attorney General
Patrick Matthews, BLS Medical Director
Sherry Lambertson, Executive Assistant
David J. Truax, Investigator/Compliance Officer
Grover P. Ingle, State Fire Marshal
Robert P. Newnam, Director, State Fire School

GUESTS

Jay Jones, DVFA
Tom Dicristofaro, DVFA
Robin Brown, OEMS
Bradley M. Gosch, Smyrna American Legion
Ed Hassel, Claymont Fire Company
Mark Harris, Claymont Fire Company
Scott Dunkelberger, Odessa Fire Company
Warren Jones, DVFA
Joe Stewart, Mill Creek Fire Company
Steven Germain, Mill Creek Fire Company

Guest cont.

Warren Jones, DVFA
Anthony Catnevale II, Mill Creek Fire Company
William Meehar, Mill Creek Fire Company
Michael Lennon, Mill Creek Fire Company
Nicholas J. Baronie, Mill Creek Fire Company
Representative Kim Williams, House 19th District
Terry Jester, State Fire Chiefs

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

REGULAR BUSINESS

APPROVAL OF AUGUST 20, 2019 COMMISSION MEETING MINUTES

It was moved by Vice Chairman Robinson, and seconded by Commissioner Truitt that the minutes of the August 20, 2019 Commission meeting be approved. Motion carried by unanimous vote. Commissioner Betts abstained for voting.

REPORT OF THE STATE FIRE MARSHAL

INFORMATIONAL ITEMS

Personnel Items

Fire Marshal Ingle reported that Deputy Fire Marshal John Yedinak, Jr. has resigned his position effective August 27, 2019. He accepted a position with the Maryland Fire Marshal's Office. He began employment with them on September 9, 2019. Fire Marshal Ingle requested permission to fill his vacant position. It was moved by Commissioner Truitt, seconded by Commissioner Leonetti to authorize Fire Marshal Ingle to proceed with filling the vacant Deputy Fire Marshal position. Motion carried by a unanimous vote.

Deputy Fire Marshal II Michael Pfaffenhauser returned to work on September 6, 2019 at full duty. This week he is attending an ATF Post Blast class in Huntsville, AL. Deputy Fire Marshal's Sipple and Looney are also scheduled to take this course. Deputies Sipple and Looney are taking a "Forensic Evidence" class at the National Fire Academy this week.

Deputy Fire Marshal IV Harry Miller has announced his retirement for September 24, 2019. He has been a good employee with over 17 years with the Office of State Fire Marshal. He's been a great asset to the agency and will be missed.

Door Openers – FY 21 Budget

Fire Marshal Ingle reported that he will be attending the Budget Target meeting later today for the FY21 Budget. He will be requesting funding for annual licensing fees for his Sales Force software. He requested the funding last year and it was not approved. All of the agency switches will have to be replaced by the end of 2020 at an approximate replacement of \$100,000. Fire Marshal Ingle is also requesting funding for replacing these switches. These will require replacement on a five year cycle.

SFPR Updates

Fire Marshal Ingle will submit a letter to the Commission in October requesting updates to the State Fire Prevention Commission Regulations. These updates will bring the regulations up to the most current standards.

Annual Report

Fire Marshal Ingle reported that the agency Annual Report has been completed and distributed as required.

Delmarva Power – Smoke Alarms

Delmarva Power will be making a donation of smoke alarms again to the Delaware and Maryland State Fire Marshal's Offices. Delaware is currently scheduled for October 2, 2019.

Incidents of Interest

August 25, 2019 – Just before 5:00 PM Dover Fire Department was dispatched to a structure in the unit block Washington Place, Capital Park, Dover. Upon arrival of the fire department fire was showing from a vacant single family dwelling. Firefighters extinguished the blaze and requested the on call Deputy Fire Marshal to respond to the scene. The Deputy Fire Marshal conducted an investigation into the origin and cause of the fire and determined the fire to be Arson with several points of origin. During the investigation the Deputy developed two suspects and the investigation is continuing. Damage was estimated at \$80,000. On August 28, 2019 three Juveniles were arrested for this fire as a result of the follow up investigation.

August 25, 2019 – Just before 6:30 PM Claymont Fire Company was dispatched to a structure fire in the 2100 block Haven Drive, Top of the Hill Apts. Claymont. On arrival smoke was showing and the firefighters began fire suppression operations, search and rescue and checking for extension. The on call Deputy Fire Marshal was requested to make a response to the scene. The Deputy Fire Marshal determined the fire to be accidental caused by a malfunctioning A/C unit. Estimated damage was \$30,000.

August 28, 2019 – Just before 8:00 PM Holloway Terrace Fire Company was dispatched to a structure fire in the 400 block Howell Drive, Collins Park, New Castle DE. On arrival the Fire Company had light smoke showing. Firefighter's began fire suppression activities and controlled the fire. The on duty Deputy Fire Marshal was requested to respond to the scene. The Deputy's investigation determined the fire occurred on a stove top burner as a result of the stove top burner being turned on accidentally igniting flammable/combustible materials causing damage estimated at \$15,000 to the occupied residence. No smoke detectors were present.

August 29, 2019 – Just after 4:00 AM Harrington Fire Co. was dispatched to a structure fire in the 200 block of East Street. Fire conditions were present on arrival and the Fire Co. began fire suppression operations. The on call Deputy Fire Marshal was requested to respond to the scene. The Deputy Fire Marshal determined the fire had originated in the kitchen of an unoccupied residence causing moderate fire damage at \$10,000. The cause is undetermined at this time and the incident is under investigation. No smoke detectors were present.

Incidents of Interest cont.

August 31, 2019 – Just after 6:00 AM Holloway Terrace Fire Co. was dispatched to a vehicle fire in the unit block of Cahalan Road, Simonds Gardens with exposure to the structure. The first Arriving Engine reported a vehicle fire involved with no exposure to the structure. The Fire Co. started fire suppression operations extinguishing the fire. The on call Deputy Fire Marshal was requested to respond to the scene. The cause of the fire is undetermined at this time and remains under investigation. The vehicle was a total loss estimated at \$15,000.

September 1, 2019 – Just before 4:30 PM Felton Fire Co. was dispatched to a structure fire in the 4100 block Hills Market Road. On arrival of the first Engine fire was showing from a detached garage. The firefighters began an offensive fire attack extinguishing the fire. The on call Deputy Fire Marshal was requested to respond to the scene. The Deputy Fire Marshal conducted the investigation and determined the fire was accidental and caused by cigarettes discarded into a plastic “Butt” can igniting the can causing moderate fire damage to the unoccupied garage estimated at \$25,000.

September 1, 2019 – Just before 6:00 PM Laurel Fire Department was dispatched to a structure fire in the 200 block West Eight Street, Laurel. On arrival of the first Engine fire conditions were present. The firefighters began fire suppression operations extinguishing the fire. The on call Deputy Fire Marshal was requested to respond to the scene. The Deputy Fire Marshal conducted an investigation into the origin and cause of the fire and determined the fire was accidental. The investigation revealed an electrical failure of an extension cord plugged into a multi-plug adapter on the rear enclosed porch. The balloon construction of the structure allowed the fire to travel throughout the dwelling causing damage estimated at \$150,000.

September 2, 2019 – Just after 8:30 PM Lewes Fire Department was dispatched to a structure fire in the 35000 block Acadia Lane, Coastal Club, Lewes. On arrival of the first Engine there was heavy fire showing with exposure problems. The Fire Department began fire suppression, exposure protection and search and rescue operations. The fire was eventually extinguished not before causing damage to a total of five dwellings estimated at \$750,000. The on call Deputy Fire Marshal was requested to respond to the scene. The Deputy Fire Marshal is currently conducting an investigation into the origin and cause of this fire. There were no reported injuries.

Incidents of Interest cont.

September 3, 2019 – Just after 1:00 AM Cheswold Fire Co. was dispatched to a structure fire in the 700 block of Fast Landing Road. On arrival of the first Engine smoke and fire conditions were present. The firefighters began fire suppression operations extinguishing the fire. The on call Deputy Fire Marshal was requested to the scene. The Deputy Fire Marshal conducted an investigation of the origin and cause of the fire and determined the fire was accidental caused by a direct lighting strike to the two story single family dwelling igniting the structural members of the dwelling causing moderate fire damage to the structure estimated at \$60,000.

DFIRS Incidents Received

TOTAL STATE PARTICIPATION IN COMPLIANCE
82 %

DELINQUENT DEPARTMENTS

New Castle County	
Hockessin	July
Minquadale	March - July
Kent County	
Camden Wyoming	July
Cheswold	July
Clayton	July
Dover	April, May & July
Houston	February – July
Little Creek	July
Magnolia	July
South Bowers	July
Sussex County	
Blades	May – June
Gumboro	June
Roxana	March - June

OVERDUE REPORTS BY DAYS

30 Days	60 Days	90 Days	90+ Days
3	2	1	4

Source: DFIRS Incidents received as of 8/9/19.

REPORT OF THE STATE FIRE SCHOOL DIRECTOR

Director

- Delaware Tech's Homeland Security & Emergency Management Advisory Board - appointed
- Survey request on tourniquet equipment carried by EMS companies – Fox
- Providing DSFS Cert. for DVFA Conference Seminar attendance
- DTI update
 - Student Recordkeeping System – projected total cost 150k yearly – DSFS maybe 80k
 - Data switches need replacing 2021-22 estimate cost 60k+
 - Dover circuit – upgrade to 1 gig – minimal cost
 - Projected cost for Office 365 migration – 45k yearly license fees (1st quarter 2020)
 - Computers upgraded to Windows 10
- Approved AFG grant for 2018 – PPE Washers, Pump simulators, PPE, Crash Kelly injury sets
- Dr. Griffin present “Charleston 9” review, with emphasis on related PTSD issues – January 25th

Staff Activities

- IFSAC Conference – Lexington, Ky. Oct. 24-27 – Lowe
- Attended – EMS Dinner, Opening, Meeting, Memorial Service – Staff Members various events
 - DSFS Booth – Lowe, staffed – Miller, O'Malley, Brennan, Ingram
- DVFA Conference support – EMS Conference , Gajdos, Brennan, Wilson, Dempsey, Miller, Lowe
 - 2019 – 157, attended 2018 – 120, 2017 – 131, 2016 – 238, 2015 – 330, 2014 – 391
- Governor's Proclamation making September Campus Fire Safety Month in Delaware – Lowe
- DVFA Memorial Service presentation – 162 persons – Stephens, Lowe, O'Malley, Brennan, Baker
- DEMA's Preparedness Day at Brecknock Park – Lowe
- DEMA Drill – Debris management – Ingram

Programs/Courses

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

- Fire Safety Workshop – cancelled (9)
 - EVO – KCD – 27 students (33)
 - NFA – Fire Chief III – 2 students, cancelled
 - Water Rescue I – 16 students (15)
 - Fire Instructor II – 12 students
 - Crew Leader – 23 students (28)
 - Basic Firefighting Skills – 110 students (101)
 - Fire Ground Size-up – 19 students (13)
 - Advanced Vehicle Rescue – 10 students (11)
 - Haz. Mat. Tech. – Refresher – 8 students (7)
 - Haz. Mat. Tech – 40 hour – 18 students (26)
 - Hazardous Materials Response Skills – 37 students (66)
 - Fire Officer I – Wilmington Fire Department
- Divisions Usage
 - NCD – 10 (16) classes, KCD – 1 (1) class, SCD – 5 classes (7) (FE Trailer usage)
 - Additions – Revisions
 - Staff review and updated all 150 (In-service) (22) lesson plans

EMS

- Current Month
 - CEU programs – 3 scheduled (4)
 - DVFA – EMT Refresher – 14 students
 - EMR – Kent weekend – 11 students (8)
 - EMT reciprocity – 1 student (4)
 - EMR- Refresher KCD weekday – 5 students (11)

Public Education and Injury Prevention - Activity Report

- *Current Month*
 - Fire Safety Programs – 1 programs scheduled (2)
 - DSFS Tours – 2 scheduled (4)
 - Fire Safety Displays – 2 scheduled (6)
 - Injury Prevention Programs/Events – 5 scheduled (4)

Financial

- Past Due Billings
 - 30 days – 7,285.00
 - 60 days – 390.00
 - 90 days – 26,190.00
- 20678 Tuition Fund – 753,421.00
 - Accounts receivable – 40,923.00
- Revenue Comparison
 - Tuition – 2019 – 109,551.92, 2018 – 63,644.00
- 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.

Personnel Issues

Scheduled Activities

- Director Newnam will be attending the North American Fire Training Directors Conference in North Carolina from September 23rd – 26th.

REPORT OF THE BLS MEDICAL DIRECTOR

Dr. Matthews reported the demolition phase of construction is underway at Wilmington Emergency Department. This has altered the entrance and exit traffic in the area.

Dr. Matthews reported that DHS has been awarded a \$5.8 million grant to assist in the Opioid epidemic. This grant has been awarded at \$5.8 million per year for the next three years. This grant will be managed by the Office of Health Crisis Response to implement activities that will reduce overdose deaths in Delaware. The goals are set at surveillance and prevention. Delaware had 418 overdose deaths in 2018 which was up 17% from the previous year.

Dr. Rosenbaum asked that Dr. Matthews share a follow up to the Mechanical CPR for the first 10 minutes memo that he submitted in April. The first three months of the year, neurologically intact survivors of cardiac arrests totaled 7.

From April to July that number bumped to 23. This was without a gross increase in the number of cardiac arrests. This is not to say that it was specific to the memo, yet it is worth following the data.

REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER

29 Annual Ambulance Unit Inspections

1 New Unit Inspections

14 Complaints Received

11 Arrest Notifications were received.

2 Patient Care Issues

1 Fire Safety Complaint – Turned over to the SFMO.

4 New Investigations

5 Open Cases from 2018

11 Open Cases from 2019

Mr. Truax requested that Case No. 1916 and 1917 be closed. It was moved by Commissioner Truitt, seconded by Commissioner Leonetti to close Case No. 1916 and 1917 as presented to the Commission. Motion carried by a unanimous vote.

REGULAR BUSINESS

ACTION ITEMS

Mill Creek Fire Company Presentation

Mill Creek Fire Company Chief, Joseph Stewart presented the following presentation.

First, I would like to thank the Commission for allowing the Mill Creek Fire Company to appear before you on September 17, 2019 to speak on the need for the volunteer fire service in the State of Delaware to be held answerable for their actions.

I am not stating the volunteer fire service is in turmoil, but there are concerns regarding professional practices, or lack thereof, that could jeopardize the public and our paid and volunteer staff. Where can a volunteer fire company or a member of the general public go to lodge a complaint that involves a volunteer fire company's member or employee? Short of filing a criminal or civil complaint there isn't a forum to allow for issues to be resolved if they cannot be handled in a mature manner with each volunteer fire company. So, what we are asking for is a way for the public or a fire company to allow their concerns to be reviewed and addressed by a commissioned body of the State of Delaware.

Back in September 2016 an individual was driving west on route 2 when our BLS unit approached from the rear with its lights and siren activated. The driver pulled to the right and yielded the right of way. No sooner had this action occurred when the BLS unit was told to cancel their call. The patient they were on the way to serve, had left by private auto. The BLS unit deactivated its warning devices and proceeded back to the station. The driver of the vehicle followed the BLS unit and once they were back in the fire station approached the crew and became angry and insinuated that the crew was just trying to get back to the station to eat their lunch. The driver of the car called the State Fire Prevention Commission (SFPC) to lodge a complaint, but the Commission was powerless. The commission forwarded the individual's contact information to Mill Creek directly. The individual spoke with fire company officials and was educated on how the dispatch was handled and the issue was resolved. But, suppose that had not played out well? Where could this person go to file a formal complaint?

It is the same situation when there are issues between volunteer fire companies. If an issue cannot be handled maturely between the fire companies, there needs to be an avenue to allow

A formal complaint to be filed with a commissioned body of the state of Delaware. We of course are recommending the SFPC to act in this role.

The SFPC already handles EMT complaints and the process has been in place for some time. They are supported by professionals that understand the rules and regulations and administer action as necessary.

We are not here today with just an idea but have experienced firsthand issues that just cannot be resolved with a face to face with the offending volunteer fire company.

For example, we have experienced the following:

1. While two MCFC apparatus were responding to an alarm with emergency devices activated and traveling in the left-hand lane, a neighboring fire company apparatus sped past both of our units, on the right, at a high rate of speed.

This event was captured on video.

2. Unnecessary destruction of property at fire scenes that have included, but are not limited to, destroying a set of glass French doors, a large bay window, and improper inspection holes beyond the fire spread. 3. Improper PPE was worn at a fire scene by a firefighter from a neighboring company.

The firefighter was told not to enter the structure by incident command. The firefighter complained to the officer from his company who then started a verbal confrontation at the scene with the incident command. Despite being told not to, the firefighter with the improper PPE still entered the structure with disregard to incident command's directive.

In each case an effort was made to resolve the issue and work to remedy any future problems. In all cases the efforts fell on deaf ears. Short of taking the companies off your grids, what other method is in place to require firefighters and officers to conduct themselves in a professional and safe manner?

We are not all perfect and mistakes will happen. The goal is to make sure everyone is safe, and we perform our jobs to save lives and property. But if we cannot work together and there is friction, deliberate destruction of homeowner property, threats to individual's personal safety and disregard of the chain of command, then we do not have a choice but to make people answer for their actions.

We recommend the Commission institute a grievance process to allow the public or a volunteer fire company to lodge an official complaint against a volunteer fire company, member or employee. Every effort is to be made to resolve the issue prior to the official complaint process. The commission will investigate the complaint and make a ruling. If warranted, there should be a penalty.

You currently have in place a process to fine a volunteer fire company for failure to present their annual audited financial records within the allotted time frame. Failure to abide by the rule results in a financial penalty. Therefore, the precedent for invoking financial penalty already exists.

We know not all volunteer fire companies in the State will agree with this process. Most are not willing to give the Commission what they perceive to be "more power". However, ours is a serious and dangerous job that needs measures to be put in place to ensure that we can do that job safely and to the best of our abilities. Even the smallest event can have major consequences. We feel the grievance process will hold us answerable for our actions.

This process should also be available to the public, to address concerns and complaints about any person or organization that falls under the fire, rescue and EMS umbrella. We encourage the Commission to take this request seriously to benefit residents of our state and members and employees of the volunteer fire service. Thank you for your time.

John Stewart, Assistant Chief of Mill Creek Fire Company stated that are before the Fire Prevention Commission for guidance. He feels that there is a loophole in the statute and regulation that does not allow the Fire Commission to handle concerns within the fire service. Assistant Chief Stewart stated that it is the impression of the fire service that the Commission does not want to get involved, yet it has been realized that the Commission has no statutory authority to be involved in these disputes. Assistant Chief Stewart would like to see this loop hole closed.

Assistant Chief Nicolas Baroni of Mill Creek Fire Company stated that Mill Creek Fire Company is struggling with issues on the fire grounds and support is needed from the Fire Prevention Commission.

Commissioner Marvel discussed a committee that was put together in 2010 that spent six months working on this very concern. The Fire Prevention Commission would have gained further authority. The fire service appeared to be behind this and when it came to a vote they did not agree with it. Commissioner Marvel stated this will be an uphill battle.

Commissioner Leonetti thanked Mill Creek Fire Company for bringing their concerns forward. He agrees with Mill Creek and feel that the Fire Commission is here for the safety and security of the citizens of Delaware and that includes firefighters. This can be done through standards and regulations. It will start with speaking to the Governor first and with the needed support of the Counties and DVFA, it is possible.

Commissioner Betts stated that he was on the committee that addressed this concern some years ago. He agrees with the need and hopes that it moves forward.

Commissioner Truitt requested that a timeframe of response to Mill Creek Fire Company be put in place. DAG Handlon stated that it will be ready by the October meeting.

Vice Chairman Robinson thanked Mill Creek Fire Company for coming forward with a solution to a problem and not only coming with a complaint.

Senator Anthony Decollo represented his district in attending today's meeting. He grew up in the area of Marshalton. He has seen the good that exists in the emergency services. The fire service is seen as a positive influence in the community. He appreciates the time that Mill Creek Fire Company has put into this presentation. He is committed to supporting these efforts in a manner that is fair and reasonable as well as maintaining the high level of respect and regard that he believes the average Delawarean has for the people that do what they do within the fire service.

Representative Kimberly Williams stated that she also is representing this district. She appreciates all that the fire departments do. She sees this as a safety issue and states that the Fire Prevention Commission has her full support.

President Scott Dunkleburer of Odessa Fire Company reported that his company has the same concerns as Mill Creek Fire Company. He will support this process moving forward. He stated that this concern was discussed at a New Castle County meeting where nine fire companies were represented. They all agreed that the concerns need to be addressed.

Chairman Roberts thanked everyone that attended and spoke on the concerns. He will create an exploratory committee moving forward.

NEW BUSINESS

None.

GENERAL INFORMATION

Overdose System of Care

Director Hainsworth, OEMS updated the Commission on the “Overdose System of Care”.

CORRESPONDENCE

None.

MISCELLANEOUS INFORMATION

None

REPORT OF THE COMMISSIONERS

Commissioner Truitt

Commissioner Truitt reported that she attended the Monthly Commission Meeting.

Commissioner Marvel

Commissioner Marvel reported that he attended the Monthly Commission Meeting, Seaford Fire Department Meeting, Kent County Meeting, Seaford Fire Department Antique Truck Meeting, Callboard Meeting, New Castle County Meeting and DVFA Conference.

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DATE OF NEXT MEETING

October 15, 2019 – 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

ADJOURNMENT

It was moved by Commissioner Truitt, and seconded by Commissioner Leonetti that the meeting be adjourned. Motion carried by a unanimous vote. The meeting was adjourned at 10:35 a.m.

Respectfully submitted,

Sherry R. Lambertson

Sherry R. Lambertson
Executive Specialist

sl/