



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, 2007

MEMBERS PRESENT

Kenneth H. McMahon, Chairman
Marvin C. Sharp, Vice Chairman
Francis J. Dougherty
Kennard L. Pyle
Bob Ricker
W. Bill Betts, Jr.

Allison Reardon, Deputy Attorney General
Robert Newnam, Director, State Fire School
Grover P. Ingle, Acting State Fire Marshal
Sherry Lambertson, Executive Specialist

GUESTS

Richard R. Ward, Assistant State Fire Marshal
John P. Rossiter, SFMO
R.T. Leicht, SFMO
Ross Megargel, D.O., OEMS
James L. Cabbage, DVFA
Thomas Cunningham, Wilmington Fire Department
Todd Reese, Local 1590
Mike McNulty, Local 1590
Jim Parker, Appellant

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

REGULAR SESSION

APPROVAL OF APRIL 24, 2007 COMMISSION MEETING MINUTES

It was moved by Commissioner Pyle, and seconded by Vice Chairman Sharp that the minutes of the April 24, 2007 Commission meeting be approved as amended. Motion carried unanimously.

CALL FOR ADDITIONAL AGENDA ITEMS

Chairman McMahon called for additional agenda items. Commissioner Ricker added Bethany Beach Fire Company to the agenda. It was moved by Commissioner Ricker, seconded by Commissioner Pyle to approve the agenda as amended. Motion carried.

REPORT OF THE STATE FIRE MARSHAL

Agency's Activity for the month of April is as follows: investigations 63- (criminal 24- /accidental 35- undetermined 4-); arrests 5-; inspections 709- (health care 3- /deputy 124/tech services -247 "QAP-335"); complaints-30; plan reviews 367-; PRUF revenue collected (April) \$118,498 year to date \$1,581,412; total overtime hours worked 302.5-; time off in hours (Deputies) 492.0 (vacation 95.5- /compensatory leave 56.5- /sick leave 205.0- /holiday 135.0- /compassionate 0.0)

INFORMATIONAL ITEMS

Personnel Issues

Acting Fire Marshal Ingle reported that his office continues to wait for the Office of Management and Budget to complete their task to be able to fill the position of Fire Protection Specialist I in Kent County. Because of the new hiring system, a name will not be presented to the Commission until July.

Brian Schad has returned to work after being out on medical leave for six weeks.

Personnel Issues cont.

Allen Moore has submitted a letter of intent to retire from state service effective June 30, 2007. He will have 30 years of service with the state.

Mike Spadea suffered a work related injury. He will be out of work 4 – 6 weeks.

DFIRS Update

The following fire companies are delinquent in DFIRS requirements.

- **New Castle County**

Belvedere	January, March – June, September, 2006 March 2007
Christiana	June & July, 2006 January – March 2007
Mill Creek	February – March 2007
Port Penn	January – March 2007
Talleyville	May, 2006
Townsend	February – March 2007
Wilmington Manor	March 2007

- **Kent County**

Camden-Wyoming	March 2007
Harrington	September & December 2006 January – March 2007
Little Creek	June, November, & December 2006 January – March 2007
Marydel	March, June – December 2006 January – March 2007

- **Sussex County**

Delmar	September – December 2006 January – March 2007
Georgetown	January – March 2007
Gumboro	March 2007
Indian River	March 2007
Lewes	November 2006

Hardwired Smoke Detectors

Acting Fire Marshal Ingle reported that the program is not showing much change.

**DELAWARE FIRE DETECTION FUND
HARD WIRE SMOKE DETECTORS
CURRENT FIGURES**

City of Wilmington

Homes 50
Detectors 158
Cost \$34,266.00

New Castle County (Less City of Wilmington)

Homes 347
Detectors 893
Non Installation Fees - \$110.00 (unable to install as per contract)
Cost \$231,986.00

Kent County

Homes 46
Detectors 115
Cost \$29,744.00

Sussex

Homes 75
Detectors 187
Cost \$43,586.00

Total Homes-----518

Total Detectors-----1353

Total Amount-----\$339,692.00

False Fire Alarms

The number of referrals received through April is 719. Number of referrals approved through April are 550. 533 of the approved alarms are assigned and installation is initiated.

The New World System is going to give the Fire Marshal Office up to real time information for the False Fire Alarm and Hardwired Smoke Detector Program.

Fire Death Update

No fire deaths to report since April. The Fire Death total for the year is 9 and only one of these had a working smoke detector.

Fire Safe Cigarette Legislation

Acting Fire Marshal Ingle is in communication with Representative Lee about the Fire Safe Cigarette Legislation. The bill has been placed in committee. It should be moved forward sometime this week.

Residential Sprinkler Initiative

Acting Fire Marshal Ingle has continues to work with Commissioner Brode on the residential sprinkler initiative. Commissioner Brode will contact Fire Marshal Ingle when he is prepared to bring it to committee. Fire Marshal Ingle met with the Kent County Home Owners Association on May 1st.

Bond Bill Hearing

Funds were requested through the Bond Bill for the expansion of the Georgetown facility.

Tidewater Utilities

Deputy Attorney General Reardon is currently reviewing the file on Tidewater Utilities. A meeting will be scheduled and the Commission will be kept up to date.

Bar Owner's Meeting

Acting Fire Marshal Ingle has set up the annual meeting with the Bar Owners of Sussex County to kick off the season. This meeting keeps them apprised of any regulation changes and to know that the occupancy levels will be monitored throughout the summer.

Regulation 1113

Acting Fire Marshal Ingle submitted a copy of Regulation 113 "Open Burning" to the commission for review. The purpose of this regulation is to control air emissions by establishing rules for open burning activities. This is a regulation from DNREC. Fire Marshal Ingle met with DNREC to discuss the issue of enforcement. The staff has been advised of how to handle.

ACTION ITEMS

No report at this time.

FIRE MARSHAL/FIRE SCHOOL

No report at this time.

MISCELLANEOUS

No report at this time.

REPORT OF THE FIRE SCHOOL DIRECTOR

INFORMATIONAL ITEMS

Director

- Attended the DVFA Legislative Night
- New Castle County Airport Drill Planning meeting.
- Attending the Incident Review Committee on April 27, 2007.
- Continuing weekly Staff meetings.
- Met with State Personnel in regards to compensation issues. Director Newnam will brief the commission when it is brought to a conclusion.
- Reviewed in-service class at the New Castle Division observing Station 12.
- Attended the Bond Bill Hearing regarding the rescue tool funding and for support of the Fire Marshal in his request for the Sussex County facility expansion.
- Reviewed weekend operations at the Dover Center.
- Incident Review Interviews Station 15, on May 6, 2007.
- State NIMS Committee meeting at DEMA.
- Meeting with OEMS to discuss QA and I program. Copies will be presented to the Commission for review.

- State Working Group Meeting at DEMA.
- Course Evaluation Forms – Director Newnam added meal quality to the form.
- Revision to the Facility use request form – Updated Division fees were submitted for review.
- New Out of State Authorization form – new requirements were submitted for review.
- Passed out Field Guides to New Castle and Kent Companies.
- Pro-board re-accreditation visit scheduled for June 11 – 13, 2007. Working on dual certification in Firefighter I & II, Fire Officer I & II, Fire Inspector I & II, etc. This would be IFSAC and Pro-Board.
- Budget Analyst toured the drill grounds – reviewed budget information.
- Damaged staff vehicle has been repaired.
- Status of the Education Policy for EMS with OEMS is currently being working on.
- Status of Fire Company Survey – 22 out of 50 Companies are reporting May 8, 2007.
- Director Newman will have a draft of the updated Ambulance Regulations ready to submit to the Commission for review before the June meeting.

Staff Activities

- Developing a Public Service Announcement for Fire Safety Conference – Mike Lowe.
- Staff working on storeroom clean up.
- Staff will be reviewing the current Truck Company Operations course.
- Continue to ensure Safety in our programs – expanding use of accountability tag systems.
- Attended the IAFC Board meeting in Las Vegas – Bill Walton.
- Conducted the Level I Fire Instructor course with 18 students.
- Jim King attended the Ha. Mat. Class in Anniston, Alabama.
- Jerry Brennan attended the Industrial Accident Board Hearing.
- The Monthly Risk Watch report was submitted for review.

Programs/Courses

- Firefighter I & II Review class is completed. The class was 10 blocks.
- Deputy Director Steve Martin is developing a Matrix for Firefighter I & II Pro-Board meeting.
- Will be using Delmar Publishing CD's for program enhancements.
- Jay Reynolds is revising the Basic Firefighting Skills.
- Certification Testing schedule for June 9th. Due date is May 11th.

Programs/Courses cont.

- Conducted a NFA BLS/Haz Mat Awareness class for 22 school nurses.
- Student numbers are above average for Industrial programs.

Maintenance

- AED's have been replaced at all of our facilities.
- AED has been added in the Control Tower
- Installing a trickle charger on the Virtual Reality Trailer to keep the battery charged at all times.

Financial

Tuition Account	(8000) 154,325.00	Balance 69,027.83	A/R
Hazardous Material Account	(8200) 83,256.00	Balance 26,655.00	A/R
Past Due Billings			
30 days past due	\$1,284.00		
60 days past due	\$0.00		
90 days past due	\$0.00		
120 days past due	\$350.18		

REPORT OF DEPUTY ATTORNEY GENERAL

No report at this time.

It was moved by Commissioner Pyle, and seconded by Commissioner Betts to enter into Executive Session for personnel issues. Motion carried. The Commission entered Executive Session at 10:40 a.m.

ACTION ITEM

BLS Medical Director

Ross Megargel, D.O. reported that someone has applied to fill the position of BLS Medical Director. Preliminary paperwork has been completed. The candidate will be meeting with the EMS Director and Medical Director at the EMS Office. If this preliminary interview is satisfactory the Commission will be invited to interview with him, to see if he meets the current needs. Dr. Megargel feels that he is a good candidate. He is a junior attending Emergency Medicine Physician at Christiana Care with an excellent academic background.

Bethany Beach Volunteer Fire Company

Bethany Beach Volunteer Fire Company requested a letter from the Fire Prevention Commission, formally requesting them to takeover the ambulance service coverage in the Bethany Beach fire district. Deputy Attorney General Reardon agreed that it would be acceptable for the Fire Prevention Commission to send a letter to Bethany Beach Fire Company officially requesting them to consider taking over the ambulance coverage in their fire district on January 1, 2009.

Confidentiality Clause

Deputy Attorney General Reardon presented statute regarding confidentiality for the Fire Prevention Commission. This statute will be added to the Commission policy manual.

Exit Interviews

Exit Interview has been tabled until the June Commission meeting.

It was moved by Vice Chairman Sharp, seconded by Commissioner Betts to go into Executive Session. Motion carried. The Commission entered Executive Session at 10:39 a.m.

EXECUTIVE SESSION

It was moved by Vice Chairman Sharp, and seconded by Commissioner Betts to go out of Executive Session. Motion carried. The Commission exited the Executive Session at 10:41 a.m.

REGULAR SESSION

Personnel

It was moved by Commissioner Betts, seconded by Commissioner Pyle to authorize Acting Fire Marshal Ingle to hire Catherine Connelly as Administrative Specialist I for the New Castle County Office. Motion carried.

Wilmington Fire Fighters' Association

Mike McNulty, Todd Reese and Thomas Cunningham appeared before the Commission, and requested that the Commission revisit its decision that the seven (7) firefighters in Wilmington seeking EMT-B Certification be required to obtain their State and Federal Criminal history records from SBI before they can be issued EMT-B Certification in

Wilmington Fire Fighters' Association cont.

Delaware. The representatives from the Firefighter's Association requested that the Commission accept NCIC criminal reports pending receipt of the State and Federal reports. The Commission determined that the State and Federal criminal history requirement is statutory and cannot be waived. There is no provision for a temporary certification or acceptance of documentation other than that specified in 16 Del. C. §6712(a).

Burn Regulations

The Commission agreed to send a letter to Secretary Hughes, DNREC, going on the record in opposition to Regulation 1113, and in the manner and time frame in which it was implemented.

Commission Policy Manual

The adoption of the State Fire Prevention Commission policy manual was tabled until the June meeting.

Commission Workshop

Vice Chairman Sharp suggested that an agenda be written for a meeting with the Governor scheduled in June.

The Commission agreed to schedule a two-day workshop. The purpose of this workshop will be to set short and long-term goals.

JAMES D. PARKER MINI STORAGE APPEAL

The Commission recessed from regular session for a scheduled appeal hearing at 1:00 p.m. with James D. Parker Mini Storage of Milton, Delaware. After some discussion with all parties involved, It was moved by Commissioner Betts, seconded by Vice Chairman Sharp to deny the appeal of James D. Parker on the basis that he did not establish a substantial case for hardship.

Motion carried with a roll call.

McMahon – Yes	Sharp - Yes
Betts - Yes	Magee - Absent
Ricker - Recused	Doc - Yes
Pyle - Yes	

REGULAR SESSION

Kevin Richie Suspension

An order was signed by all of the Commissioner's to de-certify Kevin Richie as an EMT-B in the state of Delaware. Mr. Richie's application to renew his certification is likewise denied based on his failure to meet the statutory requirements for such certification.

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

No report at this time.

MISCELLANEOUS INFORMATION

No report at this time.

REPORT OF THE COMMISSIONERS

Chairman Kenneth H. McMahon

Chairman McMahon reported that he attended the Monthly Fire Prevention Commission Meeting, Governor's Prayer Breakfast, Bond Bill Hearing, New Castle County Fire Chief's Meeting, M.I.S.C. Meeting, New Castle County Fireman's Meeting, IAFC Eastern Division Conference and Revolving Loan Meeting.

DATE OF NEXT MEETING

June 19, 2007, 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904

SFPC Minutes
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ADJOURNMENT

It was moved by Vice Chairman Sharp, and seconded by Commissioner Betts that the meeting be adjourned. Motion carried. The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Sherry R. Lambertson
Executive Specialist

sl/