

**BOARD OF FIRE COMMISSION**  
**Regular Meeting**  
**January 8, 2018**  
**“MINUTES”**

**Present:** Brett Salafia, Eric Germain, Phil Visintainer and Darin Hurne

**Others Present:** Fire Chief Greg Voelker, Assistant Fire Chief Martin Swan, Deputy Fire Chief Pete Freund, Fire Marshal Rich Klotzbier, Deputy Fire Marshal Joe Guest, Fire Fighters Charles Spakowski, Don Scranton, and Ken Royce, and Director of Police Services Tom Davoren

Chairman Salafia called the meeting to order at 7:00 p.m. at Company #1 on Barton Hill Road.

**Pledge of Allegiance**

**Approval of Minutes:** *A motion to approve the minutes of the December 11, 2017 regular meeting was made by Mr. Hurne and seconded by Mr. Germain. Voted 3-0-1 with Mr. Visintainer abstaining.*

**Public Remarks:** Don Scranton, Fire Fighter and Chief of East Hampton Ambulance Association thanked the Commission for their support in obtaining the new EMS vehicle, which was accepted that past week and will be in house in four months.

**Paul Zito – Radio Consultant:** Mr. Zito had a discussion with those present regarding the status of the radio equipment, noting that QV owns most of the equipment and all of the FCC licenses that the FD uses. The base station in Cobalt is in disrepair and an emergency PO has been approved so building upgrades can begin there. The equipment in the Cobalt station is completely outdated and should not be in service. This site and the Baker Hill site are linked by a microwave system that is defunct. This will need to be replaced.

Mr. Zito is creating a report on the status of the radio equipment, licenses, etc. in town. This should be completed within 6-8 weeks. He will include his recommendations for engineering an upgrade for the system. He does not recommend the town switching to an 800 MHz system, noting that this was a previous concern. Director of Police Services Davoren agreed with this and stated that the system will stay analog.

Fire Chief Voelker asked Mr. Zito to speak with Mike Scranton about a possible piece of equipment from Colchester.

**Approval of Bills/Budget Report:** None

**Fire Marshal Report:** Fire Marshal Klotzbier's report is attached to these minutes.

**Fire Chief's Report:** Fire Chief Voelker's report is attached to these minutes.

**Communications:** Chairman Salafia noted that he received in-person feedback about the Santa Runs, and it was all positive.

**Unfinished Business:**

- A) **Dry Hydrants:** Chief Voelker will be speaking with Public Works Director Michelson about this soon. This item will be on the February meeting agenda.

- B) **Action on SOP for Background Checks:** Chief Voelker will amend the AOG document to show an addendum regarding the background checks. There will be wording added that in addition to the current reasons that an applicant may be refused, an applicant may also be refused for showing more broad behavior patterns that are a red flag for membership in the Department. The Chief will review the background check, and if something is questionable, he will confer with the other two Chiefs and they will make an objective decision based on the wider criteria whether the candidate may be accepted.

Chief Voelker will distribute the wording for this change to the Commission ahead of the next meeting.

- C) **Possible Change to Death Benefit Portion of Awards Program:** Chairman Salafia noted that the Town Council has yet to put the tiered awards based on call percentages on their agenda though he has asked.

Changes to the Death Benefits were discussed amongst the Chiefs and the Commissioners. There were many questions still left about how, and if, to make a change. This item will be on the March agenda. In the meantime, Chairman Salafia will email some possible options around based upon this discussion.

*Mr. Hurne moved and Mr. Germain seconded to reverse the order of the items under New Business. Voted 4-0 in favor.*

#### **New Business:**

- A) **Tax Abatement Reporting:** Lisa Seymour, HR Director for the Town contacted Chairman Salafia about information for the tax abatement reports. The long-time tax collector retired last year, and it seems town staff may be having a hard time finding information. This was discussed and it was decided that since town staff has all that information in-house they will be able to handle the situation. If it becomes an issue, the Commissioners may be able to come up with a solution. For now this issue is tabled until if/when it becomes a problem for the membership.
- B) **State Supreme Court Ruling on Fire Inspections:** A recent State ruling states that failure to inspect for any reason, including lack of resources, leaves the town on the hook for lawsuits related to loss or death or injury in the case of a fire. The case will be made before the Board of Finance/Town Council that the Fire Marshal's budget should be restored to the point where he and his Deputy can meet the town's obligations for inspecting properties. Chairman Salafia sent this information to the Chairman of the Board of Finance who understands the logic.

There are 335 total inspections needed in town, translating to about 227 having to be done annually. Since many properties need to be returned to multiple times it really ends up being more than 500 property visits annually. Fire Marshal Klotzbier will send more information such as a dollar amount for man-hours needed to be able to do the mandated work.

A signed copy of the following letter and other attachments will be included with the hard copy of these minutes:

To the East Hampton Fire Commissioners;

This is to inform the fire commission that for the last three years due to actions taken by the town council in reducing funding to the office of the East Hampton Fire Marshal, the office has been failing to meet its requirements for life safety

inspections as stated in Connecticut Fire Safety Code. With only limited number of hours, and an increase in commercial, and apartment buildings being constructed that require plan review, and construction oversight this has used up the majority of the 15 hours per week the office is allotted. This is putting life safety at risk for the residents of East Hampton.

Recent actions taken by the CT State Supreme Court has placed all towns within Connecticut on notice that they can be held liable for failing to perform life safety inspections as required, and the excuse that lack of funding for manpower is not a valid excuse. Because of this ruling the Town of East Hampton is liable for lack of life safety inspections that are not completed. I urge the fire commissioners to do their due diligence as they prepare the budget for next year.

CGS 29-305 the Fire Commission as the appointing authority determines compensation for the fire marshal office. The fire marshal and the deputy fire marshal strongly urge the fire commission to submit the proper compensation so the fire marshal's office can eliminate the shortfall of incomplete inspections thereby insuring the safety of the residents of East Hampton.

Richard A. Klotzbier, Fire Marshal

Joey E. Guest , Deputy Fire Marshal

#### Connecticut Fire Safety Code

#### Sec. 107 Inspections

(a) Each local fire marshal, the State Fire Marshal and their respective designees shall conduct inspections as prescribed in section 29-305 of the Connecticut General Statutes of buildings and facilities regulated by the Connecticut State Fire Safety Code within their jurisdictions.

(b) Each local fire marshal, the State Fire Marshal and their respective designees may conduct inspections as often as may be necessary during the construction of new buildings, structures or additions, and during the course of renovations, alterations or modernizations for the purpose of satisfying themselves that all work is in accordance with the approved plans, specifications and this code.

(c) The minimum requirements for the frequency of inspections as prescribed in section 29-305 of the Connecticut General Statutes shall be as follows:

1. Annual inspections for the occupancy classifications, all R Residential, A-1, A-2, E, H-1, I-1.
2. Inspections every two years for the occupancy classifications, A-3, H-2, I-2, I-3, I-4, B-Medical, B-College.
3. Inspections every three years for occupancy classifications B, H-3, M, S-1, A-4, A-5.

4. Inspections every four years for the occupancy classifications, F-1, F-2, H-4, H-5, S-2, U.

Sec. 29-305. (Formerly Sec. 29-52). Inspections by local fire marshals. Reports. Schedule of inspections. (a) Each local fire marshal and the State Fire Marshal, for the purpose of satisfying themselves that all pertinent statutes and regulations are complied with, may inspect in the interests of public safety all buildings, facilities, processes, equipment, systems and other areas regulated by the Fire Safety Code and the State Fire Prevention Code within their respective jurisdictions.

(b) Each local fire marshal shall inspect or cause to be inspected, at least once each calendar year or as often as prescribed by the State Fire Marshal pursuant to subsection (e) of this section, in the interests of public safety, all buildings and facilities of public service and all occupancies regulated by the Fire Safety Code within the local fire marshal's jurisdiction, except residential buildings designed to be occupied by one or two families which shall be inspected, upon complaint or request of an owner or occupant, only for the purpose of determining whether the requirements specified in said codes relative to smoke detection and warning equipment have been satisfied. In the case of a school building, each local fire marshal shall submit a written report to the local or regional board of education documenting each such inspection.

(c) Upon receipt by the State Fire Marshal of information from an authentic source that any other building or facility within the State Fire Marshal's jurisdiction is hazardous to life safety from fire, the State Fire Marshal shall inspect such building or facility.

(d) Upon receipt by the local fire marshal of information from an authentic source that any other building or facility within the local fire marshal's jurisdiction is hazardous to life safety from fire, the local fire marshal shall inspect such building or facility. In each case in which the local fire marshal conducts an inspection, the local fire marshal shall be satisfied that all pertinent statutes and regulations are complied with, and shall keep a record of such investigations. Such local fire marshal or a designee shall have the right of entry at all reasonable hours into or upon any premises within the local fire marshal's jurisdiction for the performance of the fire marshal's duties except that occupied dwellings and habitations, exclusive of common use passageways and rooms in tenement houses, hotels and rooming houses, may only be entered for inspections between the hours of 9:00 a.m. and 5:00 p.m., except in the event of any emergency requiring immediate attention for life safety, or in the interests of public safety. Each local fire marshal shall make a monthly report to the authority which appointed the local fire marshal and shall be paid for his or her services in making such inspections of buildings, facilities, processes, equipment, systems and other areas the compensation agreed upon with such appointing authority.

(e) The State Fire Marshal may adopt amendments to the Fire Safety Code and the State Fire Prevention Code regarding requirements for the frequency of inspections of different building uses regulated by the codes and set forth a schedule of inspections, except for inspections of residential buildings designed to be occupied by three or more families, that are less frequent than yearly if the interests of public safety can be met by less frequent inspections.

**C) Operating and Capital Budget Discussion for 2018/1029 Fiscal Year:**

- 1. Fire Department:** Chief Voelker mentioned a few items for capital requests such as Engine 2. The current year capital funds still include building repairs, a boat and boilers/furnace for Cos #1 & 2. As budget requests need to be received by Jan. 24<sup>th</sup> there may be a special meeting regarding this topic.
- 2. Fire Marshal:** Previously discussed

**Adjournment:** *Mr. Hurne moved to adjourn the meeting at 8:15 P.M.. Mr. Visintainer seconded. Voted 4-0.*

Respectfully submitted,

Eliza LoPresti  
Recording Secretary