

The Board of Fire Commissioners
Portsmouth Fire Department

070

Fire Station 2
George Pierce Training Room
July 20, 2021

Portsmouth, NH
1800 hours

I. Call to Order:

Chairwoman Matthes called the meeting to order at 1800 hours.

II. Pledge of Allegiance with Attendance:

Chairwoman Matthes led the pledge of allegiance.

Present were Commissioners: Jennifer Matthes, Richard Gamester and Michael Hughes; Fire Chief Todd Germain, Assistant Fire Chief William McQuillen, Deputy Fire Chief Patrick Howe, Executive Assistant Tracy Freeman, Attorney for Local 1313 Richard Molan, and department members.

III. Approval of Minutes of Previous Meeting:

Motion, to approve the minutes of June 8, 2021, was made by Commissioner Gamester. Motion was seconded by Commissioner Hughes and passed unanimously.

IV. Public Comment Session:

Chairwoman Matthes opened the Public Comment Session and asked if anyone wished to speak.

Richard Molan, Attorney for Local 1313, spoke briefly regarding the letter he sent to the Commissioners regarding the promotion process as outlined in department policy and in his opinion, is being interpreted incorrectly by the Chief Officer. He believes the Chief Officer must make recommendation to the Fire Commission from the top 3 scorers and one of those top three should have the position. He went on to add that he believed it was not a decision that the Chief Officer can decide upon as to whether who's qualified or not. The three top scorers obviously are qualified and passed the exam to make the list. In speaking with regards to Firefighter Griswold, in his opinion, is one of the most educated and trained firefighters in the state. Firefighter Detweiler is an instructor and close to completing Fire Officer 1 and 2 and both of these two candidates have put forth the time and effort. There has been no counseling to them with regards to not performing in the capacity expected of them or guidance to them with regards to changing their ways and doesn't believe they are in violation of any policy. Atty. Molan hopes the Commission will take into consideration of our concern and fill the position from one of the top candidates on the list.

Chairwoman Matthes asked if there was anyone else that wished to speak. After no response, the Public Comment Session was closed.

V. Presentations of Written Communications: None.

VI. Recognition of Groups or Individuals: None.

VII. Reports:

A. Fire Chief's Reports:

Commissioner Gamester motioned to discuss Chief's reports 21-061 through 21-064. Motion was seconded by Chairwoman Matthes.

Chief Germain reviewed reports with the Commission.

Report (061), 2021 Response Report with Service Activity and Safety message for June 2021. The report shows the department responding to a total of 425 calls for the month: 103 Fire Calls and 322 Ambulance Calls with a slight decrease in fire calls from last month. Total year to date shows the department responding to 2295 calls: 662 fire and related service calls and 1633 ambulance service calls. Chief spoke briefly about some of the activity for the month noting a carbon monoxide incident at 135 Mirona Road. The source of the CO was found to be a rooftop HVAC unit. He also noted a brush fire on 802 Lafayette Road with a report of smoke behind Dunkin Donuts. The fire took about an hour to bring under control. At the time of fighting this fire, 3 other calls came in at the same time including a fast moving fire behind 20 Rye Street that was answered by mutual aid response from Newington Fire. The safety message was on fire safety tips for summer grilling. The Service Activity and Safety Message report was submitted to the Portsmouth Herald for publication in local newspapers. Report (062), Fire and EMS Call Summary Report, shows the department responded to 103 fire calls for the month of June with station 11 being the busiest district. EMS activity was 335 with the top three responses being syncope/fainting, respiratory distress and weakness. There were 4 calls for drug overdose/abuse and 75 non-transport. Report (063), FY21 Budget, Chief Germain reviewed the budget with the Commission and noted the department having a surplus which is mostly due to the impacts of Covid and department members not taking leave, retirements and trainings being put on hold. A request to use \$72,755 of the surplus was made to the City Manager and approved. These funds are requested to support tuition for three students to attend Paramedic school, three students to attend Shipboard Firefighting School in Hampton Roads, VA, on site tuition for 24 students to attend Fire Officer I & II classes and three on site Emergency Vehicle Driver Operator Classes for a total of 48 tuitions. Report (064), Overtime Analysis, provided a breakdown of how overtime was used in the month of June along with a summary of what was charged to OT-Recall for the month. Also noted was the shift coverage for COVID related impacts and billable amounts for Public Health and State POD Vaccination Clinics that our department assisted with for the month of June. Our personnel worked 812.5 hours this month assisting in vaccine clinics.

Motion, to accept Chief's Reports 21-061 through 21-064, was made by Commissioner Gamester. Motion was seconded by Commissioner Hughes and passed unanimously.

B. Staff Reports:

Assistant Chief reported on training and operations happening within the department noting training with the Portsmouth Naval Shipyard using their simulator for live fire training is still on going, twenty-three candidates will be participated in the firefighter oral board with four conditional officers made. The department will participating in the Navy Yard's drill which will provide training within a submarine. Station 3 ramp repaving has been completed which we hope will reduce ice/water buildup. Fire Boat training continues.

Deputy Chief Howe reported on Prevention noting several projects happening within the city and very busy with construction projects. Hot Work Permits beginning and reaching out to companies who do a lot of this type of work to let them know they will now need a permit. Commercial Hood Fire Suppression Systems inspections will now be done by the Fire department to help with the overload in the City's Inspection Department. Continue to work on updating the City Ordinance, Chapter 1, Article 13, Municipal Enforcement Procedures, that hasn't been updated in over 29-years. Looking at exploring repercussions for repeat offenders of life safety code violations. Criminal citations can be done but are a lengthy process and courts are backed up. Looking into local citations and increasing the fines to change behaviors. Commission would need to make the request for a change to the ordinances to allow for this increase in penalties. Deputy Howe noted that right now the warnings are done primarily during building inspections where notes are made based on what is found. If a change is made in ordinance, the City Council would need to have final approval.

VIII. Old Business:

Chief Germain updated the Commission on COVID operations and vaccine clinics and provided a summary of what has been billed out to the State through June. Currently the department is following CDC and State guidance with most members having received the vaccination. The department is operating status quo, pre-Covid, operations and measures with situational awareness.

Chief Germain went on to recognize Firefighter Sylvester for being the top worker in the vaccine clinics and will be retiring at the end of this month. Firefighter Sylvester has worked over 27 years with the department and has been a constant leader being a senior firefighter who demonstrates an expertise in the fire industry and is a great firefighter. He has been a role model here and never hesitates to share his knowledge with members. We wish him all the best in his retirement. A standing ovation followed. Firefighter Sylvester was in attendance tonight and appreciated the recognition.

IX. New Business:

Chief Germain led the discussion regarding consideration of Firefighter Timothy Griswold for promotion to Lieutenant which does not come with his endorsement. Chief stated he has had two conversations with FF. Griswold to which Ff. Griswold said he understood, and Chief recognized and appreciates that he may not agree with it or like it. Chief added that in his 28-years here, he has worked with the firefighters here, including Ff. Griswold and doesn't disagree that Ff. Griswold is

one of the most educated firefighters here but that does not mean it translates into being a good officer. Doesn't mean that he won't be an officer someday, just not ready now and therefore, cannot endorse his candidacy for promotion to Lieutenant. Chief Germain also noted that he disagrees with Atty. Molan and how the policy is written and is not misinterpreting it.

Commissioner Gamester made the motion, to accept Chief Germain's recommendation to not promote Firefighter Griswold to Lieutenant. Motion was seconded by Commissioner Hughes.

Commissioner Gamester led the discussion noting he doesn't want anyone to believe he micromanages the department and that there is no ill will regarding this decision to not appoint Ff. Griswold to Lieutenant. He went on to add that he has faith in the Chief and supports the Chief and what he recommends is best for the department and all of its members. Chairwoman Matthes added that she respects the process and doesn't know everyone personally or the day to day operations or the attitudes of everyone, however leadership is more than credentials and looks to the Chief for guidance and recommendations in matters as such. Commissioner Hughes added that he too respects the process and also supports the Chief and not promoting Firefighter Griswold and believes that the Chief and the Commission are following the process as outlined in the policy. He went on to say that he doesn't want to see Ff. Griswold in a position of officer requiring more skills and putting him in a position where he could have difficulty and fail. Commissioner Hughes went on to say that he realizes that everyone says he is a good firefighter and has the education and training and respects that, however, he is just not ready right now to become a Lieutenant. Doesn't mean he will never have the opportunity for promotion at a later time. However, there is a pathway to obtaining Lieutenant and that needs to continue to be followed. Commissioner Matthes spoke on behalf of the Chief and that Chief Germain was promoted approximately 2-years ago to foster the culture of the department and provide safety to all.

Motion on the floor, to accept Chief Germain's recommendation to not promote Firefighter Griswold to Lieutenant. By a vote of 3-0, motion passes unanimously.

Assistant Chief McQuillen spoke briefly about the Homeland Security Grant Award in an effort to expand our current ballistic gear inventory. These funds were left over from the State and was awarded on a first come first serve basis so Portsmouth put in an application and was awarded \$6,000 towards this effort. As the shelf life of the current ballistic equipment expires, or replacement equipment is needed, we will eventually need to look at putting this into Capital for funding.

Commission Gamester made the motion to accept the 2018 Homeland Security Grant Award for EMS in the Warm Zone Equipment for \$6,000.00. Motion was seconded by Commissioner Hughes and passed unanimously.

Chief Germain spoke about the need for a loaner ladder truck due to the impacts from Covid delaying delivery of our new ladder truck to November which was ordered last spring. Our current reserve truck, Ladder 2, that is being traded in, has failed inspection and is now permanently out of service. Greenwood Fire

Apparatus, our dealer for the new truck, has offered us a loaner to use until delivery of the new truck. The agreement is pretty standard in our industry and payment is only due if we don't return it when we take delivery of the new truck. Execution of this agreement is necessary in order for the City to register and place insurance on it. This loaner ladder truck will be a reserve piece for approximately 6 months.

Chief noted that the loaner ladder would be delivered tomorrow and an aerial test would be done to be sure it passed before we sign this agreement. The agreement will also have to go through finance and legal to be sure it complies with City policies for insurance and liability. Chairwoman Matthes inquired about the payment due terms and wanted to confirm it expires when the new apparatus comes in. Chief stated yes. The truck comes with no warranty so that is why we are having it inspected prior to accepting this agreement. There will be no money put into this loaner truck and it will not be lettered.

Commissioner Hughes made the motion, to approve the Loaner Agreement from Greenwood Fire Apparatus for a ladder truck and to move the agreement forward to the City's Finance and Legal Departments for review and their approval. Motion was seconded by Chairwoman Matthes and passed unanimously.

Deputy Chief Howe followed up an earlier discussion under Staff Reports, regarding City Ordinances, Chapter 1, Article 13: Municipal Enforcement Procedures and outlined the various proposed changes being recommended to the Life Safety Codes bringing them up to date. Language is being vetted by City Attorney on all changes being proposed however, does need the support of the Fire Commission. The ordinance changes will not be strictly for Fire Department use but for all City departments.

Commissioner Gamester made the motion, that the Fire Commission supports making changes to City Ordinances, Chapter 1, Article 13: Municipal Enforcement Procedures. Motion was seconded by Chairwoman Matthes and passed unanimously.

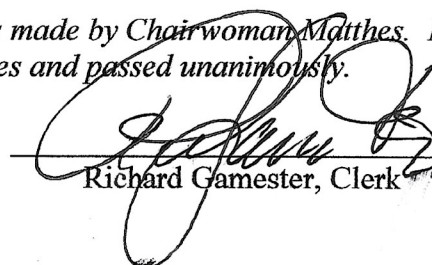
Before meeting concludes, Chief Germain was approached by Local 1313 asking the administration to seal the minutes of June's non-public session.

Chief Germain then asked the Fire Commission, at the request of Local 1313, to seal the June 8, 2021 Fire Commission Non-public Session Meeting minutes.

Commissioner Gamester made the motion, to seal the Fire Commission Non-public Session meeting minutes of June 8, 2021. Motion was seconded by Commissioner Hughes. By vote of 3-0, motion passed 3-0.

X. Adjournment:

Motion, to adjourn at 1855 hours, was made by Chairwoman Matthes. Motion was seconded by Commissioner Hughes and passed unanimously.


Richard Gamester, Clerk