

**FIRE SERVICE COMMISSION
MINUTES OF MEETING
September 15, 2022**

The Fire Service Commission held a meeting on Thursday, September 15, 2022, via conference call per COVID-19 Guidelines under Mass. General Law Chapter 30A, Section 20.

Present at the meeting were the following Commission members:

Chief Gregory J. Burns
Captain Michael McCullough
Chief Stephen L. Archer
Chief John S. Ingram
Chief Peter Shedd
Ms. Roberta Fitzpatrick
General Counsel Suleyken Walker - Designee for Undersecretary Jeanne Benincasa Thorpe

Commission members absent from the meeting:

Undersecretary Jeanne Benincasa Thorpe
FF Richard D. MacKinnon Jr.

Guests present at the meeting:

Anjeza Xhemollari
Timothy McGuirk
Elaine Driscoll
Wendy Poste

DFS staff present at the meeting:

State Fire Marshal Peter Ostroskey
Deputy General Counsel John Dean
Jake Wark
Alanna Malatos
JoAnne Caruso

Meeting called to order by Chairman Gregory Burns at 10:08 a.m.

AGENDA

A. Approval of Minutes of the June 16, 2022 Meeting

A motion was made by Chief Archer and seconded by Captain McCullough to discuss the minutes of the June 16, 2022, meeting.

The vote was unanimous in favor of the motion.

Marshal Ostroskey noted date error for correction and Captain McCullough recommended adding further details about the email that prompted discussion for "Agenda Item C: Recognition of Fire Alarm Operators in Years of Service Program".

A motion was made by Captain McCullough that and seconded Chief Ingram that the minutes of June 16, 2022, meeting be approved as amended.

General Counsel Walker abstained from the vote.

The vote was unanimous in favor of the motion.

B. Credentialing/Re-Credentialing Process

A motion was made by Chief Ingram and seconded by Chief Archer to award accreditation to:

- Captain Kevin Adams - Webster Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Captain McCullough to award accreditation to:

- Captain Michael Austrino - Randolph Fire Department

The vote was unanimous in favor of the motion.

General Counsel Walker had to leave meeting to call in due to technical issues.

Ms. Fitzpatrick joined at 10:16am.

A motion was made by Chief Ingram and seconded by Captain McCullough to award accreditation to:

- District Chief Robert Courtney - Worcester Fire Department

The vote was unanimous in favor of the motion.

General Counsel Walker rejoined at 10:24am.

A motion was made by Chief Ingram and seconded by Chief Archer to award accreditation to:

- Deputy Chief Richard Craven Jr. - West Springfield Fire Department

General Counsel Walker abstained from the vote.

The vote was unanimous in favor of the motion.

A motion was made by Captain Ingram and seconded by Captain McCullough to award accreditation to:

- Captain Christopher Davenport - Weston Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Captain McCullough to award accreditation to:

- Chief Robert Flaherty Jr. - Hatfield Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Captain McCullough to award accreditation to:

- Assistant Chief Kelly Manning - Douglas Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Captain McCullough to award accreditation to:

- Lieutenant James McNeilly - Belmont Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Chief Archer to award re-accreditation to:

- District Chief David Charest - Attleboro Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Chief Archer to award re-accreditation to:

- Chief Francis Pulsifer - Barnstable Fire Department

The vote was unanimous in favor of the motion.

A motion was made by Chief Ingram and seconded by Captain McCullough to award re-accreditation to:

- Captain Daniel Sawicki - Tewksbury Fire Department

The vote was unanimous in favor of the motion.

C. Request for Rescission of Certain Massachusetts Firefighter Service Award

Marshal Ostroskey briefed the Commission on the history of the Firefighter Service Award program and the circumstances that prompted this agenda item.

Marshal Ostroskey informed the Board that the DFS had been provided with information suggesting that Albert J. Murphy, a former member of the Everett Fire Department, who

received a Firefighter Service Award in 2009, had a felony conviction dating back to 1997. Based on the information received, DFS confirmed that Mr. Murphy was convicted of a felony in August of 1997. As such, at the time the award was presented, Mr. Murphy did not meet the eligibility criteria for the award, which states, “No person convicted of any felony crime in any state or under the laws of any country shall be eligible for the Massachusetts Firefighter Service Award.”

Based on the information presented to the Commission, Chief Ingram and Chief Archer made a motion to rescind the award and remove Mr. Murphy’s name from the list of award recipients.

The vote was unanimous in favor of the motion.

DFS staff will draft a letter to Mr. Murphy advising him of the Commission’s action.

D. Review/Vote – Criteria for Fire Service Awards

A motion was made by Chief Archer and seconded by Captain McCullough to discuss.

The Commission recommends an update to the criteria form to further clarify the requirement that, “All nominees must have 20 or more years of service in Massachusetts or out-of-state (given in five-year increments) and be a member in good standing as a call, career or volunteer firefighter. No person convicted of any felony crime in any state or under the laws of any country shall be eligible for the Massachusetts Firefighter Service Award.”

The Commission also recommends updating the nomination form submitted by heads of departments to read, "as head of the xxx Fire Department, hereby attest under the pains and penalty of perjury, that the above named individual is a member in good standing, is qualified by virtue of length of service, and has not been convicted of any felony crimes, as provided for in the Massachusetts Firefighter Service Award Criteria.” This change reinforces that it is the head of the fire department’s responsibility to attest that the member is both in good standing and has not been convicted of any felonies.

DFS Staff will make said changes to the nomination and the criteria forms.

A motion was made by Chief Ingram and Chief Archer and seconded by Captain McCullough to update the criteria form and the nomination form.

The vote was unanimous in favor of the motion.

E. Old Business: Recognition of Fire Alarm Operators in Years of Service Program

Chief Burns explained that this was tabled in June pending additional information.

A motion was made by Chief Ingram and seconded by Chief Archer to discuss.

Chief Archer explained that Fire Alarm Operators can be appointed in many ways and that some are more integrated into the departments than others.

Deputy General Counsel Dean stated that because the intent of the Firefighter Service Awards was to recognize firefighters, and that the jurisdiction of the Commission did not

extend beyond firefighters, it would be more appropriate that ancillary personnel be recognized by their own organizations or agencies. For example, the E911 Board.

A motion was made by Chief Archer and seconded by Chief Ingram to have the Department draft a letter in response to this request as it does not fall under the purview of the Commission.

The vote was unanimous in favor of the motion.

F. General Issues and Updates from DFS

Marshal Ostroskey informed the Commission that the Search and Rescue Building in Bridgewater is now in service, and Springfield and Stow campuses are in full swing. He also briefed the Commission on upcoming meetings with stakeholders regarding ASHER program; fire code updates; building code updates and some upcoming events such as the Public Education Life and Safety Conference, the HazMat Tech Conference, the Heroic Awards Committee meeting regarding the Firefighter of the Year program; Massachusetts Day at the Big E; and that the SAFE grant process and application have been published on our website.

G. Determination of Next Meeting Date and Adjournment

The date of the next meeting of the Fire Service Commission will be scheduled for Thursday, October 20th at 10:00am.

A motion to adjourn was made by Chief Ingram and seconded by Chief Archer.

Said motion was approved by a unanimous vote of the Commission.

The meeting of the Fire Service Commission concluded at 11:10 a.m.