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Improving the Efficiency of New England's Cities and Towns

August 18, 2013

Dawn Magi, Chair
Warwick Board of Selectmen
12 Athol Road
Warwick, MA 01378

The town of Warwick entered into a contractual agreement with MCNE to complete a management study of the Warwick Fire Department. The specifics of the analysis have been defined in the proposal submitted by MCNE.

MCNE is honored to have had this opportunity to assist the town of Warwick in assessing and evaluating the structure, management, and operational readiness of the Warwick Fire Department.

The cooperativeness of town officials and the Fire Department was incredibly helpful and contributed to the success of this study. In particular, Chief Ronald Gates was candid in his position, and provided my staff with unfettered access to his department.

Respectfully submitted,

Ernest Horn
Attorney at Law

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Massachusetts State Statutes

Mass. Gen. Laws Ann. ch. 48, § 42 (West).
Mass. Gen. Laws Ann. ch. 111C, § 2 (West)
Mass. Gen. Laws Ann. ch. 148, § 28A (West)
Mass. Gen. Laws Ann. ch. 148, § 10A (West)
Mass. Gen. Laws Ann. ch. 148, § 2 (West)
Mass. Gen. Laws Ann. ch. 148, § 4 (West)
Mass. Gen. Laws Ann. ch. 148, § 27B (West)
Mass. Gen. Laws Ann. ch. 148, § 34 (West)
Mass. Gen. Laws Ann. ch. 148, § 34D (West)
Mass. Gen. Laws Ann. ch. 150E, § 7 (West)
Mass. Gen. Laws Ann. ch. 150E, § 10 (West)
Mass. Gen. Laws Ann. ch. 150E, § 9A (West)
Mass. Gen. Laws Ann. ch. 6A, § 18I (West)
Mass. Gen. Laws Ann. ch. 66, § 10 (West)
105 Mass. Code Regs. 170.002

Other Authorities

Mass. Prac., Municipal Law and Practice Â§ 21.19 (5th ed.)
Tannenbaum, R., Schmidt, W (1973). How to choose a leadership pattern.
Harvard Business Review, May/June 1973.

*MANAGEMENT Tasks, Responsibilities, Practices, PETER F. DRUCKER,
TRUMAN TALLEY BOOKS / E.P. DUTTON / New York*

National Fire Prevention Standards (NFPA)

NFPA 1911: Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus, 2007 Edition.

NFPA 1852: Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA), 2008 Edition.

-NFPA 10: Standard for Portable Fire Extinguishers, 2002 Edition.

NFPA 1962: Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose, 2008 Edition.

NFPA 1932: Standard on Use, Maintenance, and Service Testing of In-Service Fire Department Ground Ladders, 2004 Edition.

NFPA 1851: Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2008 Edition.

Preface

First, it is important to understand what this report is, and what it is not. The report is not an indictment of the Warwick Fire Department or of Chief Gates. A management report is, however, an analysis of an agency and management style of its chief executive officer: and often this analysis is critical.

Additionally, this is not a review of the firefighting, fire prevention and/or the quality of the EMS services provided to the community, as that was not the task asked of the consultant. This report is presented to you as an objective review of the department's management and its readiness to meet its obligations to the community and taxpayers of Warwick.

Overview

The Warwick Fire Department, hereinafter referred to as the Department, is by definition a part-time or volunteer department. Often call firefighters are referred to as volunteer firefighters. Call firefighters such as the ones employed by the town of Warwick are for the most part, true volunteer firefighters who receive very little compensation.

The department is primarily housed in a single station. The building appears to be reasonably well maintained.

The department's ISO rating is based on a combination of factors that include the distance of housed, on-duty staff from an incident, the type of equipment and apparatus available to the firefighters, the maintenance of

equipment, the level of training of the department personnel, policies and procedures, rules and regulations of the department, and available water supplies with a particular emphasis on adequate hydrant systems.

Department Structure

- (1) The department currently consists of a Fire Chief who is appointed as a strong chief¹ and therefore [s]hall have full and absolute authority in the administration of the department. Mass. Gen. Laws Ann. ch. 48, § 42 (West). Second in charge of the department is a Deputy Fire Chief, lieutenants, and a fluctuating cadre of privates. The chief has no support staff available to him to assist with administrative tasks including payroll, grant writing, policy and procedure, rules and regulations, and the usual administrative paperwork associated with any fire department.

¹ Towns accepting the provisions of this section and sections forty-three and forty-four, or which have accepted corresponding provisions of earlier laws may establish a fire department to be under the control of an officer to be known as the chief of the fire department. The chief shall be appointed by the selectmen, and shall receive such salary as the selectmen may from time to time determine, not exceeding in the aggregate the amount annually appropriated therefor. He may be removed for cause by the selectmen at any time after a hearing. He shall have charge of extinguishing fires in the town and the protection of life and property in case of fire. He shall purchase subject to the approval of the selectmen and keep in repair all property and apparatus used for and by the fire department. He shall have and exercise all the powers and discharge all the duties conferred or imposed by statute upon engineers in towns except as herein provided, and shall appoint a deputy chief and such officers and firemen as he may think necessary, and may remove the same at any time for cause and after a hearing. He shall have full and absolute authority in the administration of the department, shall make all rules and regulations for its operation, shall report to the selectmen from time to time as they may require, and shall annually report to the town the condition of the department with his recommendations thereon; he shall fix the compensation of the permanent and call members of the fire department subject to the approval of the selectmen. In the expenditure of money the chief shall be subject to such further limitations as the town may from time to time prescribe. The appointment of the chief of the fire department in any town or district having a population of five thousand or less may be for a period of three years.

Administrative Operations

(2) The Fire Chief's management style appears to most closely resemble a participative management style although he seems to be transitioning more toward an autocratic style.

(3) Chief Gates seems to move back and forth from a participative management style to a more centralized autocratic style. While both styles present certain benefits, the chief needs to be careful not to send conflicting messages on how he prefers to communicate with his staff.

(4) Generally, the Chief seeks input from staff on most issues and at times, perhaps he allows others to more strongly influence his thought process than appropriate. The Chief clearly has a self-effacing personality and prefers to avoid conflict with his staff, the Town Administrator and the Board of Selectmen. The Chief, as all chiefs must, has to engage in a certain level of self-preservation and to some extent, carefully maneuver through the professional minefields associated with local politics. However, the Chief must always be loyal to his oath and to the residents, visitors, and employees of the town who rely upon him to keep them and their families safe. This requires the Chief, even in the face of political adversity, to lobby for the needs of the department to ensure proper operational readiness. At times, he must be assertive and prepared to debate others in the responsibilities and needs of the department. The Chief benefits from a strong fire chief appointment law that insulates him from both internal and external political pressure, and he should capitalize on this inherent strength. To that end, we believe the Chief exhibits a sufficient level of autonomy and assertiveness.

(5) The historical analysis of the Chief's budget(s) indicates a very lean budget for many years with little opportunity for expansion. The association is attempting to fund a new public safety building through volunteer work. We would caution both the Chief and the town on how this undertaking is approached and handled. The town must comply with chapter 30b and, of course, prevailing wage issues. Navigating through state law requirements can be challenging, as well as rewarding for the town, if handled correctly. However, we recommend that town counsel be utilized to ensure that the town and the Chief stay in compliance with all federal and state applicable laws related to this type of a project.

The town needs to begin the process of replacing the two primary pieces of apparatus. We recommend the future purchase of a modern attack pumper, capable of carrying a minimum of 1,200 gallons of water. Additionally, the second piece should be a modern tanker capable of carrying a minimum of 2,500 gallons and should have some standalone pump capacity as well. These vehicles will have dramatically faster response times and drafting capabilities than the current outdated fleet.

(6) Department morale can be a key indicator of the overall health of the department and is always a symptom of a larger problem. Sometimes, it is the result of disgruntled employees who are never satisfied with their work environment, workers who have unrealistic expectations and demands of the employer, or protracted internal labor disputes. As can be found in virtually any fire department, there is a certain level of second-guessing and criticizing of

management. While to a certain degree, this can be therapeutic, it can also be damaging to the department's overall internal integrity.

(7) While morale appears to be well, during our interviews of town leaders, staff within the department, and a couple residents of the town, we developed the opinion that there is an internal power struggle within the department. The Chief, with the support of the Board of Selectmen, must resolve the internal strife. The town appointed Ronald Gates as the Chief of the fire department, and they must support him in this role.

(8) We found that the employees of the Warwick Fire Department were for the most part, self-starters with an uncanny devotion to the town. The majority of the staff believes the Chief is a competent fire ground commander and reasonably versed in firefighting operations. There were, however, a few operational concerns identified during the study, including lack of scene accountability, clearly delineated on-scene protocols and automatic mutual aid responses during an unexpected catastrophic event. However, as a volunteer chief with no administrative support staff, it is unreasonable to expect that he can adequately develop the necessary policies and procedures, rule and regulations, pre-planning, and training curriculum that exists in larger full-time fire departments. Notwithstanding the foregoing, such documents are critical to any department regardless of size.

(9) According to the staff and the Chief, rules and regulations², policies and procedures³ are lacking in the department. The Chief has indicated that he is working on these documents and we find that he is. Such rules and regulations are the basic underpinnings of a successful, disciplined, professional fire department. Rules and regulations exact specific behavior standards and personal accountability expected within the department; this is a uniformed code of conduct that is well understood and consistently and fairly enforced.

The developing of operational guidelines is extremely important to the efficiency and safe operational capabilities of the department. However, such an undertaking is a long and arduous process even for a full-time chief with adequate support staff.

(10) Successive command is a principal design to ensure that in any para-military operation everyone clearly understands at any given moment who is in charge. Clearly, when there is an officer of rank (Chief, Deputy Chief, Captain, or Lieutenant) on scene, it is clear that they are in fact, in charge. Successive command requires that every member of the department clearly understands a rank and structure of command throughout the department that begins at the top and ends at the last or lowest employee of authority. The Chief must develop a policy for the department that clearly delineates command-and-control to the principle of successive command. While this is a basic fundamental principle of the department's operational readiness and extremely important to the efficient and safe operations at any given scene, the Chief needs to further develop this principle within all ranks of the department.

² Uniform code of conduct specific to the fire service profession

³ Policies and procedures are well-defined instructions for the carrying out department duties and responsibilities. Based on well-established principles of the fire service and unique obligations and expectations of the department.

(11) The department's lack of rules and regulations, policies and procedures, enforceable standard operating guidelines as well as a clear successive command policy must be addressed immediately. This will require a significant amount of the Chief's time to develop such effective and professional documents. These areas require the Chief's immediate attention and perhaps the assistance of another Chief or a consultant, as the Chief must maintain other full-time employment to support his family. The town requiring such an undertaking exclusively by a part-time, volunteer chief would be unreasonable at best.

(12) We are particularly impressed by how well the equipment has been maintained. The department and Chief have done an incredible job as caretakers of the town's valuable assets. We were very impressed with the Deputy Chief and his care and dedication to the apparatus. The following section on apparatus and equipment maintenance and operational readiness documents will detail the excellent maintenance and repair of department apparatus and equipment.

(13) The remainder of this report will document what we consider critical infrastructure failures that must be addressed by the Chief and the town.

EMS Operations

(14) The Department relies upon other towns for EMS coverage and is therefore not considered part of this evaluation. However, based on the call volume in the town, we certainly do not believe that it would be a viable option to start an in house EMS system.

Overall Maintenance

NFPA 1911: Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus, 2007 Edition.

Chapter 7 Inspection and Maintenance of the Chassis, Driving and Crew Compartment, and Body.

7.1. All components and systems commonly found on or in the chassis, driving compartment, crew compartment, and body shall be inspected and maintained in accordance with the manufacturer's instructions...

Summary

(15) The department has done an excellent job of maintaining the apparatus and equipment with incredibly limited funds and support staff.

(16) We began each check with an inspection of the chassis. We looked for obvious mechanical problems as well as signs of routine maintenance. Overall, the apparatus appear to be well maintained.

Engine-1: -No issue noted.

Engine-2: -Alternator belt worn and frayed (Image E2-1).

Engine-5: - Both rear leaf springs have multiple breaks (Images E5-1 and E5-2).⁴

Tanker-4: -Right rear axle seal leaking; oil running into break drum (Image T4-1).

Brush-3: -Broken sensor on transfer case (Image B3-1).

⁴ This problem was reported to the Deputy Chief who immediately removed unit from service.

Ground Ladders

NFPA 1932: Standard on Use, Maintenance, and Service Testing of In-Service Fire Department Ground Ladders, 2010 Edition.

Chapter 3 Definitions

3.3.12 Extension Ladder. A non-self-supporting ground ladder that consists of two or more sections traveling in guides, brackets, or the equivalent arranged so as to allow length adjustment. [1931, 2010]

3.3.13 Fire Department Ground Ladder. Any portable ladder specifically designed for fire department use in rescue, firefighting operations, or training. [1931, 2010]

3.3.26 Roof Ladder. A single ladder equipped with hooks at the top end of the ladder. [1931, 2010]

Chapter 6 Inspection and Maintenance of Ground Ladders.

6.1.2 Ground ladders shall be visually inspected at least once every month and after each use.

6.2.10.1 If the heat sensor label has an expiration date and that date has passed, or there is no date on the label, the heat sensor label shall be replaced.

Chapter 7 Service Testing of Ground Ladders.

7.1.6 All ground ladders shall be service tested on the following schedule:

(2) At least annually.

Summary

19. **No records of ground ladder testing were provided.** Engine-1 and Engine-2 are equipped with both extension and roof ladders, neither of which has heat sensors.

Pumps

NFPA 1911: Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus, 2007 Edition.

Chapter 18 Performance Testing of Fire Pumps and Industrial Supply Pumps.

18.1. If the fire apparatus is equipped with a fire pump or an industrial supply pump, the pump shall be inspected and tested as required by this chapter.

18.2. Service tests shall be conducted at least annually and whenever major repairs or modifications to the pump or any component of the apparatus that is used in pump operations have been made.

18.8.5 Data that are submitted at the time of the delivery test and all results of service tests shall be maintained in a permanent file and compared year to year to identify changing conditions that could indicate developing problems with the engine or pump.

Summary

20. **No records of pump testing or service were provided.** Engine-1 and Engine-2's pumps were engaged and their basic operations were checked. No issues were found.

Self-Contained Breathing Apparatus (SCBAs)

NFPA 1852: Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA), 2013 Edition.

Chapter 7 Maintenance

7.5.1 The organization responsible for the maintenance of the SCBA shall perform periodic testing in accordance with the part of the SCBA program

component for maintenance as specified in 4.3.6. In all cases, SCBA shall be tested at least annually on a breathing machine that meets the requirements specified in 7.5.5 and 7.5.6.

Summary

21. A total of nine SCBA units were inspected. All nine show they were Flow Tested in February 2012 (Image SCBA-1). All SCBAs were due for retesting in February 2013.

Turnout Gear:

NFPA 1851: Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2008 Edition.

Chapter 10 Retirement, Disposition, and Special Incident Procedure

10.1.2. Structural firefighting ensembles and ensemble elements shall be retired in accordance with 10.2.1, no more than 10 years from the date the ensembles or ensemble elements were manufactured.*

**A.10.1.2 After discussion of the concept of mandatory retirement for protective elements, the consensus of the technical committee, led by the fire service segment, is that the life of a turnout suit is generally less than 10 years. Regardless of when the element was originally produced, it is imperative that the protective elements be routinely inspected to ensure that they are clean, well maintained, and still safe. Just knowing the age of the elements cannot do that.*

Summary

22. According to Deputy Chief, members keep their turnout gear with them; therefore, we were unable to inspect it.

Training

(23) Training within the department has improved and with such a limited budget, it is difficult to expand the training capabilities of the department. We would like to see the Chief take a more active role in regular training sessions. The department needs a more consistent internal training plan to update and maintain firefighter skills and promote operational cohesiveness within the department.

(24) Internal training improves morale, operational readiness, and firefighter skills that can be critical to the safety of both first responders and the people they serve. Regular training also provides an opportunity to exercise department apparatus and identify maintenance concerns and deficiencies. Firefighters, much like the military, should train regularly and often, in real-life scenarios to build confidence, individual skills and unit cohesion.

Personnel

(25) We were impressed with the department's staff; they presented as a loyal and dedicated group of individuals. However, many of them feel that the department is somewhat divided and individuals are picking sides. In today's society, it is virtually impossible to find a group of people that can agree on almost anything. We agree that the department is somewhat divided into different groups with different agendas, and a power struggle exists within the department.

Technology

(26) The department appears to have very little technology available to them and no RMS.

Facility

(27) The facility is reasonably maintained but we did identify some areas of concern. A plymo vent system should be installed or at least planned for the new facility.

Recommendations

(29) These recommendations will require the town and Chief to work together. With very limited financial abilities, these recommendations will likely present a significant challenge for the town moving forward.

(30) Acting as the enforcement arm of the Board of Selectmen, the Town Administrator should effectively communicate the expectations of the Board to the Chief, and ensure that those expectations are fully realized. While the Chief must be held accountable for the management of the department, there has been far too much external interference, criticism and second guessing of the Chief. The town needs to support the Chief and provide him with the necessary tools to carry out his duties.

1. The chief must take control of the department, those who do not support him should leave, acquiesce to his authority, or be removed.

2. The BOS and Town Administrator should deter attempts at undermining the Chief behind his back. A policy should be developed by the Chief restricting such communication that he does not expressly approve. (Discussion needed)
3. Hose testing of all hand and supply hoses to meet NFPA standards. Such hoses must comply with appropriate manufacturer burst ratings to ensure the integrity of such hoses during firefighting operations.
4. Replacement of all fire helmets not currently in compliance with NFPA standards. (If applicable)
5. Replacement of all turnout gear including jackets, hoods, gloves, pants and boots not in compliance with NFPA standards. (If applicable)
6. Immediate testing and inspection of all ground ladders currently not in compliance with NFPA standards.
7. Develop and implement continuation of command should the department face an internal catastrophic event.
8. Develop and implement standard accountability tracking for on scene operations to ensure lost firefighter awareness capabilities.
9. Develop and implement necessary Rapid Intervention Team designation, implementation, and training to provide for immediate deployment for lost/trapped or downed firefighters.

10. Establish and train an on-scene safety and accountability officer, and utilize appropriately at all scenes.
11. Develop, train and implement procedures for “downed firefighter” rescue and recovery operations.
12. Improved pre-planning throughout the town. The Chief needs to develop a timeline to effectively pre-plan important structures such as the town hall, library and school.
13. The town has large natural areas where a person could become lost. The department should develop a comprehensive lost person/child policy that is shared by both the Fire Department and the Police Department. Both agencies should train together on such operations.
14. The Chief should continue his system-wide review of the department including policies, procedures, and rules and regulations. This will require a great deal of time and effort on the Chief’s part and is necessary to the department’s success. While the department has begun this process, it is likely that the Chief will need assistance from another Chief or a consultant.
15. The Chief needs to review, update, and create written job descriptions for all positions within the department.
16. The Chief should develop a regular schedule of departmental meetings at least bi-annually with all members of the department.

17. Establish one location within the department for the dissemination of department directives.
18. The Chief should develop an information journal (Three ring binder) where employees can be kept up to date on important issues and directives. Employees should be required to review the informational journal at least weekly. Each employee should initial each page so the Chief has been properly advised of the employees' compliance.
19. The town should require the Chief to attend seminars on effective budgeting skills, labor updates, and the use of Microsoft Excel. The Chief should be provided with opportunities to attend regional Chief meetings. We strongly encourage the town to seek assistance from Attorney Jack Collins and others to assist the Chief in developing department policies, procedures and rules and regulations. Attorney Collins is considered the leading authority in this area.
20. The town should require the Chief to attend all available senior officer training seminars offered from time to time by the Mass Firefighting Academy located in Stow, Mass.
21. The Chief should attend college-level public speaking classes or join Toastmasters International, which is a nationally recognized non-profit educational organization that teaches public speaking skills.

22. The Chief needs to develop a comprehensive replacement policy to avoid huge singular financial costs for items that require replacement on well-established schedules. This includes turnout gear, SCBA, uniforms, and even apparatus. A system that rotates such replacements on acceptable ratios spreads the town's financial liability over multiple budget cycles to lessen the yearly financial impact on the town's limited resources.

24. The town could also consider consolidation with a neighboring town and form either a local fire district or a contract to provide fire and EMS services to Warwick. This type of action would require a willing partner and some level of negotiations with the various unions.