

SECTION I

CHAPTER 6

FIRE APPARATUS AND EQUIPMENT

OVERVIEW

The resources that the fire department uses to perform its core mission and mitigate a wide range of emergency incidents are generally divided into two major categories: apparatus and tools/equipment. Apparatus generally includes the department's motorized vehicle fleet and includes the major emergency response apparatus such as pumpers (engines), tenders/tankers (water supply vehicles), aerial ladders/quints¹, rescue vehicles, and ambulances. Specialized apparatus includes emergency units such as lighting plants, brush trucks, and other off-road vehicles. They also often include trailers for unique applications such as technical rescue, hazardous materials response/equipment, hazardous material decontamination, structural collapse rescue equipment, breathing air/light support units, foam units/supplies, and mass casualty incident supplies. Support vehicles that are critical to fire department operations, both routine and emergency, include command post and emergency communications units, command/staff vehicles, and maintenance trucks.

The tools and equipment that a fire department utilizes cover a wide assortment of resources necessary to effectively and safely respond to and mitigate a broad range of emergency incidents. These resources include, but are certainly not limited to, the firefighters' personal protective equipment (PPE), self-contained breathing apparatus (SCBA), hose, nozzles, adapters, master stream appliances², ground ladders, radios, hydraulic rescue tools and equipment, and various hand and power tools. The technology and standards for fire department equipment are constantly evolving to improve the effectiveness, efficiency, and safety of firefighters. Today's fire departments are obligated to establish and document formal programs and procedures to ensure that equipment is replaced regularly, maintained properly, and deployed in accordance with accepted standards and department procedures. Proper training on the use and maintenance of equipment is essential to effective and safe firefighter performance and minimizes the town's risk exposure.

The geography, infrastructure, hazards, and construction features within the community all play a major role in determining the composition of each department's unique and individualized apparatus fleet and equipment inventory. Berwick's environment

¹ A "quint" serves the dual purpose of an engine and a ladder truck. The name *quint* refers to the five functions that a quint provides: pump, water tank, fire hose, aerial device, and ground ladders.

² "Master streams" are large capacity nozzles that can be placed on the ground or are affixed to aerial devices.

presents the fire department with a wide variety of strategic and tactical challenges related to emergency response preparedness and mitigation. This includes firefighting, emergency medical responses, and complex incidents requiring special operations capabilities such as technical rescue and hazardous materials emergencies. Large commercial buildings, vacant structures, and target hazards present much different hazards and challenges than those required for operations in single-family dwellings. These factors, as well as projected future needs, must be taken into consideration when specifying and purchasing apparatus and equipment. Every effort should be made to make new apparatus as versatile and multi-functional/capable as is possible and practical.

OBSERVATIONS

APPARATUS

The Berwick Fire Department operates with a diverse fleet of apparatus and equipment. The fire department must be ready to handle a variety of incidents that include medical emergencies, building fires, wildland fires, technical rescues, hazardous materials incidents, ice/water rescues, search and rescue operations, and other emergencies.

The Berwick Fire Department provides services utilizing fire apparatus and vehicles that are in good condition. The fire department has also had success obtaining grants to purchase apparatus. In recent years, the department has received funding for the water tanker and a new wildland/forestry apparatus.

An up-to-date capital improvement program is an essential planning tool for both the fire department and the town. Future needs should be planned well in advance in order to coordinate major fire apparatus purchases with other capital needs in the community, and to avoid excessive spikes in debt service costs. A lead-time of up to five years can be required between the development of fire apparatus specifications and the actual delivery of the vehicle.

The real driver of apparatus replacement needs is not necessarily the frontline units, but rather the age and reliability of the oldest units. Anytime a frontline unit is out of service for repairs, the personnel use a reserve apparatus. Reserve apparatus must be reliable enough to meet the emergency needs of the community and should be fully equipped and immediately available for service. Unreliable reserve apparatus are the most frequent cause of fire apparatus failures during responses.

Apparatus replacement should occur when the reserve units are no longer reliable and when the front-line units have not reached similar reliability status. For a fire department like Berwick, it should be expected to replace each engine (pumper) every 20-25 years and the aerial ladder every 25-30 years, but also taking into consideration the following factors:

- Apparatus age and condition
- Engine hours
- Pump hours
- Technological obsolescence
- Maintenance costs



Figure I-6-1: Engine 2 - 2004 Smeal Pumper - 1500 GPM pump - 1,000 gallon water tank



Figure I-6-2: Engine 3 - 1990 Quality Pumper - 1250 GPM pump - 1,000-gallon water tank



Figure I-6-3: TANK 4 - 2010 International/Toyne Tanker/Pumper – 750 GPM pump – 3000-gallon water tank – 30-gallon foam tank – quick dump on rear with swivel. Obtained in part through an Assistance to Firefighters Grant (AFG).



Figure I-6-4: Truck 1 - 1997 Smeal Quint - 1250 GPM pump - 500 gallon water tank – 75 foot aerial ladder



Figure I-6-5: Squad 5 - 1997 Freightliner Rescue Truck



Figure I-6-6: Forestry 6 – 2012 Ford F550/Blanchet Brush Truck – 265 GPM pump – 300-gallon water tank. Obtained through an AFG grant.



Figure I-6-7: Car 1 - 2004 Ford Expedition - Command Vehicle



Figure I-6-8: Boat 1

A white paper developed by the Fire Apparatus Manufacturer's Association (FAMA) suggests that the front line life span of active duty fire apparatus in an urban setting ranges from 15 to 18 years, with the possibility of an additional 9 to 10 years in a reserve, or spare, status. Apparatus that is operating in a much more rural environment should be expected to have a longer life expectancy. The International City/County Management Association (ICMA) suggests that the life span of a fire pumper should be twenty years, and the life span of an aerial ladder should be 25 years.

With the above variables, and the activity and demands on the fleet, the 1990 Quality Pumper (Engine 3) should be replaced within the next 3 years. Replacement of the aerial ladder (Truck 1) should be anticipated in about 10 years. When budgeting for new fire apparatus, the purchase of the equipment (including self-contained breathing apparatus, communications equipment, and computer technology) needed for that apparatus to be fully functional should be included. If the FEMA Assistance to

Firefighters (AFG) grant program is still available at that time, the town should consider seeking federal funds to support the purchase of the next fire pumper.

The MRI study team did note that the current apparatus fleet is very well maintained.

The department performs the required annual pump and ladder tests and maintains detailed records on both the test results, as well as maintenance performed. These records are maintained for the life of the vehicle. From 1996 until 2004, the pump tests were performed every two years. Since 2004, they have been performed annually as required. Pump test records were examined for Engine 3 from 1996 and from 2004 for Engine 2. Ladder test records were available from 2000 forward to today.

EQUIPMENT

The fire department equipment is adequate and well maintained. Firefighter personal protective equipment (PPE) is within the 10-year life span as recommended by the National Fire Protection Association (NFPA). This PPE is visually inspected annually by one of the career firefighters. While not really a full NFPA compliant inspection, the department utilizes a modified State of Maine form for these inspections. Gear that fails inspection is removed from service.

The department's self-contained breathing apparatus (SCBA) are in very good condition and are inspected, tested, and certified annually according to NFPA standards and the manufacturer's recommendations. Inspection and flow test records are maintained for the life of the unit and were available for inspection back to 2004.

All fire hose and fire service ladders are tested and certified annually as required by NFPA and ISO. As previously noted, ladder test records were available for inspection from 2000 to the present. Hose test records were available from 1994 to the present.

The fire department maintains a supply of EMS equipment that is used to stabilize and treat patients prior to the contracted ambulance's arrival. The fire department should maintain all EMS equipment and supplies to be compliant with State of Maine EMS requirements for a licensed first responder agency.

The fire department has an SCBA air filling station located in the fire station, which refills breathing air bottles that have been used on emergency incidents or during training exercises. This was recently obtained through a competitive grant.

The fire department has adequate radio equipment that is compliant with the recent Federal Communication Commission's frequency narrowband mandate. The department also operates with a repeater radio system that provides adequate radio reception from most locations in town with the dispatch center in South Berwick.

RECOMMENDATIONS

- I-6-1.** The MRI study team recommends that the Town of Berwick and the Berwick Fire Department develop a comprehensive capital improvement plan (CIP) for apparatus, major equipment, and capital facility needs. The plan should be incorporated into the town's capital improvement plan. The plan should also take into consideration potential funding strategies, such as bonding, lease-purchase agreements, and grant opportunities. The fire chief should develop the CIP in collaboration with other fire departments in the mutual aid system in order to avoid the duplication of very expensive, highly specialized equipment that can be shared within the mutual aid system.

- I-6-2.** The MRI study team recommends that planning should begin soon as the 1990 Quality Pumper (Engine 3) should be replaced within the next three years.

- I-6-3.** The Berwick Fire Department should continue to insure that all pumps, ladders, hose, self-contained breathing apparatus, and personal protective equipment are inspected on an annual basis and the excellent record keeping system maintained.

- I-6-4.** The Berwick Fire Department should initiate quarterly air quality testing of the new air compressor. Air quality should be a minimum of Grade D.

- I-6-5.** The MRI study team recommends that the fire department purchase and maintain the necessary EMS equipment and supplies to be compliant with State of Maine EMS requirements for a licensed first responder agency.

SECTION I

CHAPTER 7

FIRE DEPARTMENT FACILITY

OVERVIEW

Fire stations are a critical community asset. The fire station facilities of a modern fire department are designed to do much more than simply provide a garage for apparatus and a place for firefighters to wait for a call. A fire station should, at a minimum, provide adequate, efficiently designed space for the following functions:

- Housing of fire apparatus, with adequate space for apparatus length and height (and the housing of all equipment, including staff, service, and support vehicles, including trailers)
- On-duty crew quarters, with sufficient toilet/shower/locker room space for both men and women
- Kitchen area
- Training and meeting space
- Administrative/supervisor office(s)
- Vehicle and equipment maintenance
- Hose drying and storage
- Supply and equipment storage
- Public entrance/reception area

Many communities find that a fire station is an ideal place to locate the community's emergency operations center (EOC), and a large room such as a training classroom can be designed to serve as the EOC when needed. Meeting rooms are even made available to community organizations on a regular basis.

National best practices, such as guidance provided by the National Fire Protection Association (NFPA) and the Federal Emergency Management Agency (FEMA), recommend that the following features be included in fire station capabilities:

- Seismic-resistant construction (based on local risk assessment)
- Flood hazard protection (based on local all-hazards risk assessment)
- Automatic fire sprinkler system and smoke detection system
- Carbon monoxide detectors
- Vehicle exhaust extraction system
- Capability to decontaminate, launder, and dry personal protective equipment and station uniforms

- Facility security
- Emergency power supply
- Exercise and training area(s)
- Compliance with the Americans with Disabilities Act (ADA)
- Compliance with current fire and building codes
- Adequate storage for supplies and equipment, including emergency medical and disaster supplies
- Adequate parking for on-duty personnel, administrative staff, and visitors
- Capability for future expansion

The adequacy, quality, and appearance of fire station facilities have a significant impact on the performance of the department as a whole. Attractive, functional, clean, and well-designed quarters contribute substantially to the morale, productivity, and operational effectiveness of the agency, as well as to its public image, dignity, and prestige. Most citizens have little contact with the fire service and often make judgments that are, at least partially, based upon their impression of fire station facilities. It follows then, that a good image of the department must be maintained not only by proper deportment of the individual officers and firefighters, but also by the appearance of their physical surroundings.

Well-designed fire and EMS facilities enable staff to perform their duties effectively, efficiently, and safely. As a facility ages, it may no longer meet the needs of an evolving department and/or community, thus negatively affecting morale, efficiency, safety, security, technology, and overall efforts to provide quality fire, rescue, and emergency medical services. It may also hamper the ability of the department to keep pace with increasing and/or expanded requests for, and/or levels of, service. Older and/or obsolete facilities are also expensive to maintain due to inefficient energy systems. When these conditions occur, typical remedies include expanding, renovating, and/or replacing the existing facilities.

Fire station facilities should be an important component of a municipal capital improvement plan (CIP). A long-term plan should be in place that takes into consideration the expected life expectancy of a facility, space needs, technology needs, and location requirements, based on response times, travel distance, changes in community development patterns, and regional fire protection capabilities. The construction or renovation of fire stations is a costly proposition that should be planned well in advance in order to balance other community needs for capital projects.

OBSERVATIONS

The Berwick Fire Department operates from a single location on School Street. The facility (8,236 sq./ft.) was built in 1967 and has only had modest improvements done to the building over the years. The MRI study team evaluated the building and found it to be minimally functional. However, it was evident that fire department operations have

outgrown the facility, both administratively and operationally. It lacks adequate shower, locker room, and cooking facilities. There are no accommodations for personnel to sleep in the station whether on regular duty or during times of high incident activity such as during severe storms.

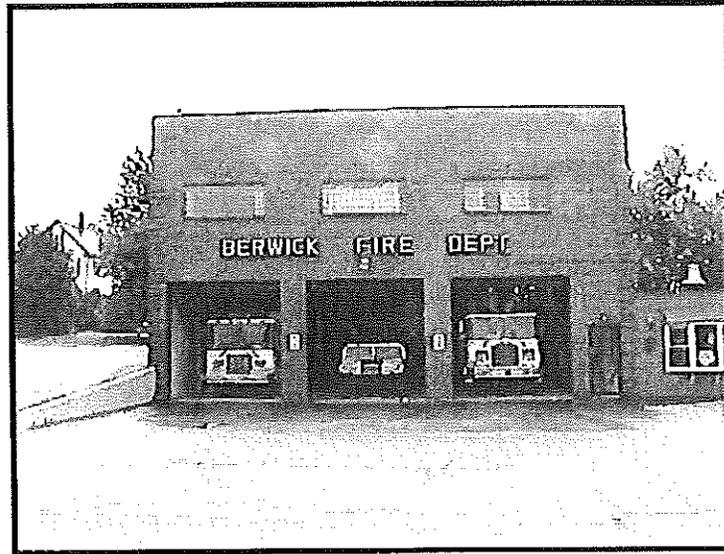


Figure I-7-1: Current Berwick fire station on School Street.

The building has smoke detectors, but lacks automatic fire sprinklers. It is equipped with a vehicle exhaust extraction system. The building lacks security features to protect it from unwanted intrusion that could jeopardize fire department operations. It does not appear to be designed or constructed to withstand the impact of a moderate to severe seismic event.

In 2011, Civil Consultants examined the fire station structure and found several areas where significant and alarming structural failures had occurred. They prepared a report for the town, and emergency repairs were made to the structure. The engineers indicated at that time that all temporary repairs were expected to last approximately five (5) years. This would take the town into approximately 2016 or 2017. During our visits to the fire station, the team examined the temporary structural repairs and noticed cracking in exterior walls, evidence of water intrusion in the building, and other structural issues identified by Civil Consultants; however, additional repairs were in progress at the time. Subsequent to this, they provided the town with a letter stating that the life of the building could possibly be extended dependent upon the extent of an ongoing, programmed maintenance plan, although they were unable to provide an estimate as to how much longer.

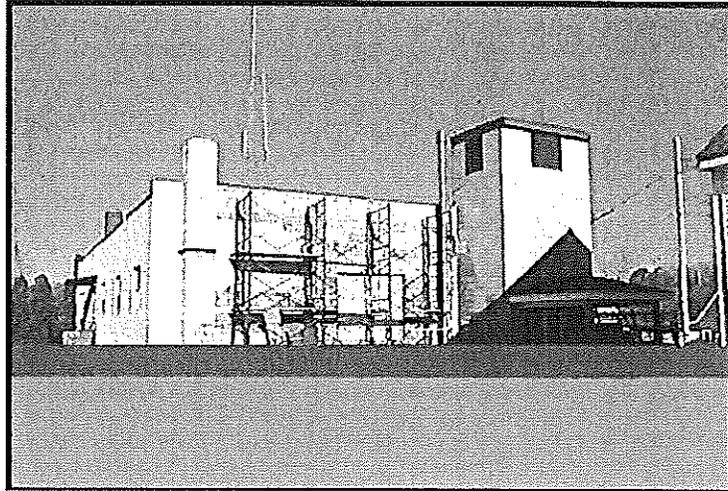


Figure I-7-2: Rear view of the fire station showing the hose tower on the right and scaffolding in place while structural repairs are being made.

The fire station has a 3-story hose tower at the rear of the building. This portion of the structure is used to hang washed fire hose to dry. Inside the tower is a vertical ladder for firefighters to climb to hang or drop the hose. The MRI study team observed that there is no fall protection for firefighters climbing the hose tower. A certified fall protection system should be installed for firefighter safety.

A separate 2-bay, wood frame garage structure (2,089 sq./ft.) that is located in the rear of the property is in good condition. The structure houses antique fire equipment.

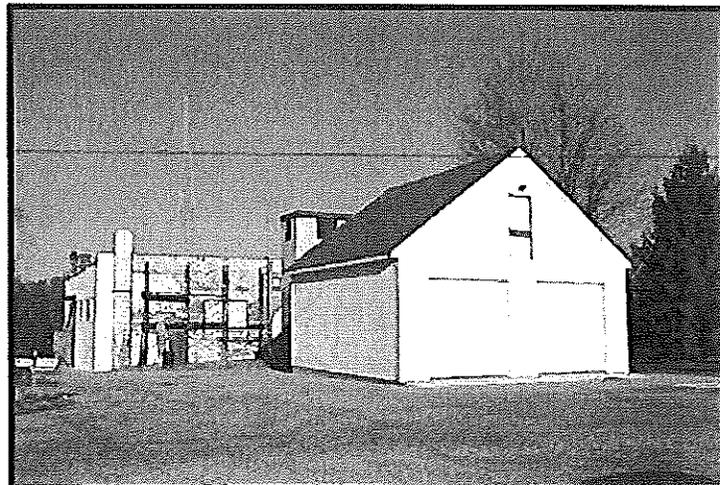


Figure I-7-3: Two bay garage housing antique fire apparatus located at the rear of the fire station.

The fire station is equipped with a standby generator that provides emergency power to the entire building during an outage. However, the MRI study team observed electrical panels that were overtaxed and had evidence that water had been leaking near and onto the panels.

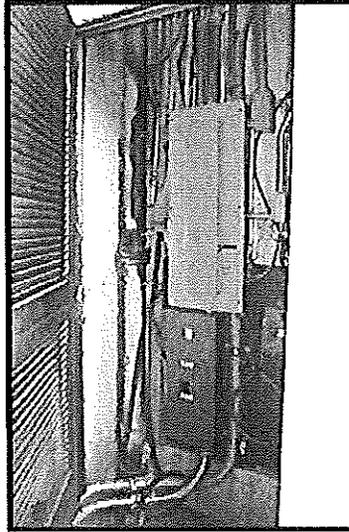


Figure I-7-4: The MRI study team observed evidence of water leaking onto or near electrical panels.

The existing fire station is located on a major thoroughfare (School Street) on the west side of town, just about 1,000 feet from both the town and state lines. However, this area is really the center of Berwick from a development perspective. Pine Hill Road and State Route 236 provides access to remote reaches of town. Fire department personnel are concerned about the lengthy travel times to these areas. The fire department provided the MRI study team with a sampling of data for selected locations in the community that shows that travel times to significant areas of Berwick exceed a 240-second (4 minute) travel time, which is a standard benchmark for the arrival of the first fire or EMS unit.

The MRI study team was informed that there has been some discussion in the past to consider the construction of a fire station that would improve response times to the south end of Berwick. However, those discussions have never resulted in any concrete proposals.

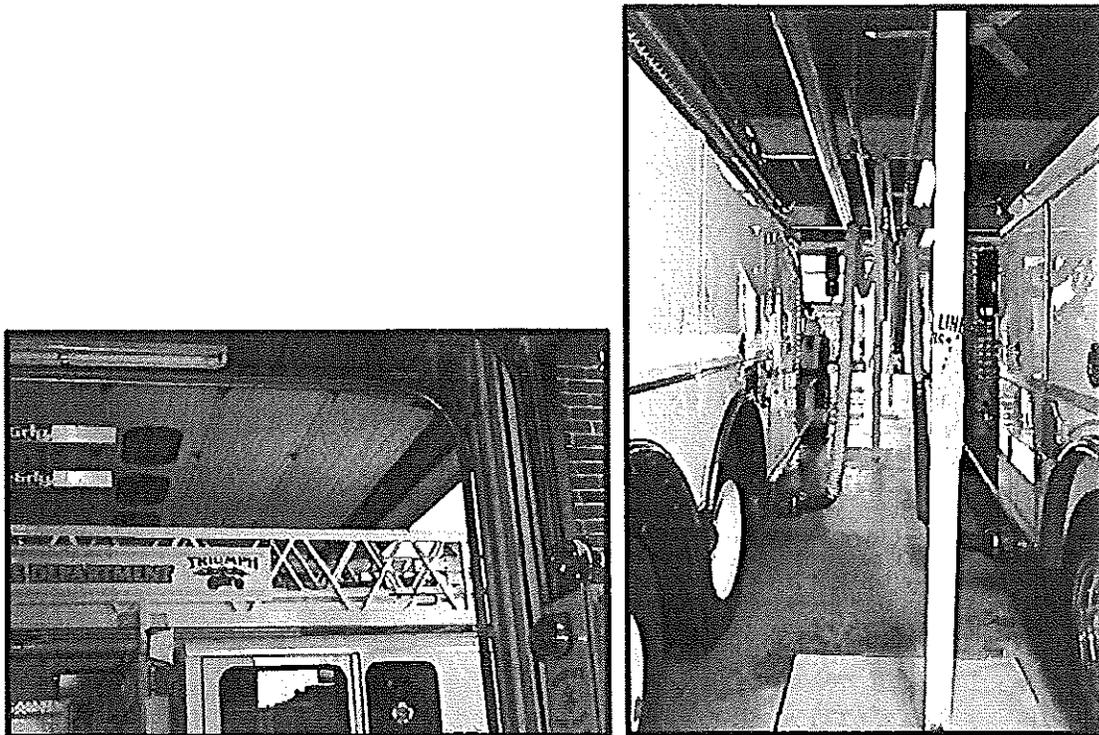


Figure I-7-5: The existing Berwick fire station is small and overcrowded with barely enough clearances for new, modern apparatus to fit into the station.

RECOMMENDATIONS

- I-7-1. The MRI study team recommends that a certified fall protection system be installed in the hose tower.
- I-7-2. With temporary repairs to the existing station only estimated to last approximately five (5) years, and a station that is outdated and obsolete for its current needs and operations, the Town of Berwick needs to immediately begin considering their future options relative to fire station(s) and their location(s). We recommend that the town initiate an in depth fire station feasibility and location study as soon as possible with the goals of:
- Providing the fire department with a station, or stations, that are up-to-date, energy efficient, and meet the needs of the department both now and in the future.
 - Possibly reducing travel distances and thus improving response times to remote locations of the community.

This study should examine the feasibility of relocating the main fire station or significantly renovating and expanding the existing facility. Consideration should also be given to the possible cost/benefit of building a small fire sub-station in another section of Berwick. This study should include construction costing estimates from reliable construction/architectural firms.

The study should be undertaken as soon as possible in order to provide adequate time to evaluate options, seek public input and approval, secure necessary funding, obtain suitable land if relocation is determined to be the best option, design the facility(ies), and to commence construction within five (5) years provided that no further significant structural issues develop.

SECTION I

CHAPTER 8

BENCHMARKING – COMPARATIVE ANALYSIS

OVERVIEW

As part of this analysis, the MRI study team prepared a benchmarking and comparative analysis survey for distribution to the fire department in a number of comparable communities (see Appendix C). The communities selected were derived from recommendations from the board of selectmen and interim town manager. This is done purposely to avoid any perception that the members of the fire department selected favorable comparables. The communities that were selected are Berwick, North Berwick, South Berwick, Lebanon, Eliot, Hampden, Cumberland and Wells, Maine, along with Barrington and Farmington, New Hampshire. We requested that Chief Plante contact each department's chief to request they complete the survey. We provided Chief Plante with an introductory and explanatory letter (Appendix C). Departments that had not responded were contacted again by phone after 30 days, and several had the survey sent to them again via e-mail. Ultimately, seven of the ten departments completed and returned the survey. The three who did not were Hampden and Cumberland, Maine, and Farmington, New Hampshire.

The data provided by these communities is just one of several tools that we are providing to the town to assist them with understanding how their fire department compares to departments serving other similar communities in Maine and nearby New Hampshire. By viewing fire department operations in comparison to other departments, policy makers will have some different perspectives as they make decisions for determining the future course of the Berwick Fire Department.

SIGNIFICANT FINDINGS AND OBSERVATIONS

The comparative analysis of the data detailed below leads to the following observations:

- Berwick's total community equalized value is 52% below average.
- Berwick's overall town budget is 36% below average, but the fire department budget is 49% higher than the average.
- Four of the other communities surveyed have a career fire chief; however, only two are full-time, the other two are part-time.

- The total number of emergency incidents in Berwick is 7% below average, while fire incidents are 4% above average, and EMS incidents are 13% above. Building fires are 31% above average, but the town's overall fire dollar loss is 64% below the average.
- Berwick is the only department surveyed that dispatches a first responder fire unit to every emergency medical services (EMS) incident. Two of the other three that perform first responder only, dispatch a fire unit to either life threatening calls or cardiac emergencies. The third department only responds, upon request, to lift assists.
- Berwick has more than double the average number of career firefighters, but only two of the departments surveyed had career firefighters. Berwick is 19% below average in its number of on call firefighters.
- Berwick's Insurance Service Office (ISO) rating was listed as a 3/8B, the 3 being in the hydrant area of town and the 8B being in the non-hydrant area. ISO scores communities on a 1-9 scale, 1 being the best. A 3 rating in the hydrant area is an achievement to be proud of and may save the residents money on their fire insurance premiums. While an ISO rating of 8B is a reflection of limited fire protection, mainly due to a lack of a water system, every community surveyed had a lower rating of 9. Overall, Berwick's ISO rating is 44% better than the other communities.
- Berwick's first unit on scene response times are approximately 10% better than the other communities surveyed. On average, Berwick was on scene one minute quicker than the other communities' average.
- Berwick's apparatus fleet is generally close to average as far as the comparable departments go. It has somewhat less than an average number of pumpers, but it does have a quint (combination pumper/ladder) and a rescue that almost none of the other department's operate.
- Berwick's number of staff/command vehicles (2) is shown as more than 12 times the average, but only one other department supplied their chief(s) with command vehicles, which today are mission critical components of effective incident management.
- Berwick's existing fire headquarters is 50% larger than the average facility.
- None of the departments surveyed had a minimum staffing requirement for their apparatus and none of them required any in station and/or duty crew time for their on-call personnel.

- Berwick's average on-call pay (\$10.00/hour) is 24% below average; however, only two of the six other departments surveyed paid their call personnel by the hour. Three of the others used some type of a point system to earn on-call pay, while one department paid their personnel a flat rate per call.
- The frequency of training in Berwick is slightly above average.
- The cost per call in Berwick is 29% above the average.

COMMUNITY	POPULATION	AREA (SQUARE MILES)	POPULATION DENSITY (PER SQUARE MILE)
BARRINGTON	8,576	49 Square Miles	175/Square Mile
ELIOT	6,204	29 Square Miles	214/Square Mile
LEBANON	6,031	56 Square Miles	108/Square Mile
NORTH BERWICK	4,576	38 Square Miles	120/Square Mile
SOUTH BERWICK	7,300	39 Square Miles	187/Square Mile
WELLS	9,589 *	62 Square Miles	155/Square Mile
AVERAGE	7,046	45.5 Square Miles	155/Square Mile
BERWICK	7,246	37 Square Miles	196/Square Mile
DEVIATION	1.03	0.81	1.26

* Wells reports a seasonal population influx to approximately 60,000.

COMMUNITY	FISCAL YEAR 2012 TOTAL TOWN BUDGET	FISCAL YEAR 2012 TOTAL FIRE/EMS BUDGET	TOTAL EQUALIZED VALUE	CAREER FIRE CHIEF
BARRINGTON	\$24,355,629.00	\$287,562.00*	Not Reported	Yes
ELIOT	\$11,000,000.00	\$144,120.00**	\$944,228,700.00	Yes (Part-time)
LEBANON	\$7,691,213.00	\$109,000.00	Not Reported	No
NORTH BERWICK	\$3,710,835.00	\$123,125.00	\$588,756,240.00	No
SOUTH BERWICK	\$5,000,000.00	\$160,000.00	\$500,000,000.00	Yes (Part-time)
WELLS	\$32,000,000.00	\$1,200,000.00***	\$3,200,000,000.00	Yes
AVERAGE	\$13,959,613.00	\$337,301.00	\$1,308,246,235.00	4 Yes/3 No
BERWICK	\$9,000,00.00	\$503,268.00	\$630,356,509.00	Yes
DEVIATION	.64	1.49	.48	

***Barrington** shares a public safety building with the police and shares costs for heat: \$9,700 and electricity: \$13,000. In addition the town has a general line item for cleaning, cleaning supplies and insurance.

** **Eliot** has a CIP with \$25,000 budgeted for a truck reserve, \$10,000 for turnout gear replacement and \$25,000 for station roof replacement.

*****Wells** reports that insurance and benefits for full-time personnel are not included in the fire department budget.

COMMUNITY	TYPE OF FIRE DEPARTMENT	NUMBER OF STATIONS	ISO RATING
BARRINGTON	Combination	1	9
ELIOT	On Call	1	5/9
LEBANON	Volunteer	2	4/9
NORTH BERWICK	On Call	2	6/9
SOUTH BERWICK	On Call	1	4/9
WELLS	Combination	3	5/9
AVERAGE	2 Combination/ 3 On Call/ 1 Volunteer	1.66	5.5/9
BERWICK	Combination	1	3/8B
DEVIATION		.60	.54

COMMUNITY	NUMBER OF CAREER PERSONNEL	NUMBER OF CALL/VOLUNTEER PERSONNEL	AVERAGE FIRST UNIT ON SCENE RESPONSE TIME
BARRINGTON	2	41	11:00
ELIOT	0	40	8:00
LEBANON	0	35	9:49
NORTH BERWICK	0	20	Not Reported
SOUTH BERWICK	0	33	No Reported
WELLS	9	24	Not Reported
AVERAGE	1.83	32	9:36
BERWICK	4	26	8:36
DEVIATION	2.19	.81	.90

COMMUNITY	TOTAL EMERGENCY INCIDENTS 2011	TOTAL FIRE INCIDENTS 2011	TOTAL EMS INCIDENTS 2011	NFIRS BUILDING FIRES - 2011	TOTAL FIRE DOLLAR LOSS 2011
BARRINGTON	884	388	496	19	Not Reported
ELIOT	203	175	28 *	14	\$500,000.00
LEBANON	306	306	Not Reported	17	\$405,655.00
NORTH BERWICK	165	165	Not Reported	6	Not Reported
SOUTH BERWICK	1145	345	0 **	12	Unknown
WELLS	633	429	204 ***	10	\$609,200.00
AVERAGE	556	301	182	13	\$504,951.66
BERWICK	519	313	206 ****	17	\$179,900.00
DEVIATION	.93	1.04	1.13	1.31	.36

* **Eliot** reports primary EMS is AMR. FD assists when requested.

** **South Berwick** reports while they do not do EMS, South Berwick Rescue answers about 800 calls per year.

*** **Wells** provides first responder ALS level EMS service.

**** **Berwick** EMS numbers only reflect incidents the department actually responded to, not those they were dispatched to but did not respond.

COMMUNITY	DEPARTMENT PROVIDES EMS SERVICE	EMS LEVEL PROVIDED	FIRST RESPONDER EMS SERVICE *	TYPE OF CALLS RESPONDED TO
BARRINGTON	YES – Primary	ALS	Yes	Life Threats
ELIOT	No	N/A	If Requested	Cardiac
LEBANON	No	N/A	No	N/A
NORTH BERWICK	No	N/A	If Requested	Lift Assist Only
SOUTH BERWICK	No	N/A	No	N/A
WELLS	Yes – 1 st Responder	ALS	Yes	Not Reported
AVERAGE	2 Yes: 1 Primary, 1 1 st Responder/ 4 No	2 ALS	2 Yes/ 2 If Requested/ 2 No	
BERWICK	Yes – 1 st Responder	BLS	Yes	All Incidents
DEVIATION				

* Response to an EMS incident with a fire unit prior to arrival of an ambulance.

COMMUNITY	NUMBER OF PUMPER	NUMBER OF LADDERS/QUINTS	NUMBER OF RESCUES (NON EMS)	NUMBER OF TENDERS
BARRINGTON	2	0	1	1
ELIOT	3	0	0	1
LEBANON	2	0	0	2
NORTH BERWICK	3	0	0	0
SOUTH BERWICK	2	1	0	1
WELLS	4	1	0	1
AVERAGE	2.67	.33	.16	1.0
BERWICK	2	1	1	1
DEVIATION	.74	3.03	6.25	None

COMMUNITY	NUMBER OF BRUSH UNITS	NUMBER OF AMBULANCES	NUMBER OF OTHER UNITS	NUMBER OF COMMAND/STAFF VEHICLES
BARRINGTON	1	1	1	0
ELIOT	1	0	2	0
LEBANON	1	0	1	0
NORTH BERWICK	2	0	1	0
SOUTH BERWICK	1	0	0	0
WELLS	1	0	1	1
AVERAGE	1.17	.16	1.0	.16
BERWICK	1	0	1	2
DEVIATION	.85	N/A	None	12.5

COMMUNITY	NUMBER OF EMS UNITS STAFFED *	DISPATCH CENTER STAFFING	SQUARE FOOTAGE OF MAIN FIRE STATION
BARRINGTON	1 (Days Only)	Regional	9,115 Square Feet
ELIOT	Not Reported	Regional	16,000 Square Feet
LEBANON	Not Reported	Regional	4,200 Square Feet
NORTH BERWICK	1	Regional	2,760 Square Feet
SOUTH BERWICK	2	Regional	1,000 Square Feet
WELLS	1.5	Fire	5,428 Square Feet
AVERAGE	1.4	5 Regional/ 1 Fire	6,417 Square Feet
BERWICK	Varies	Regional	9,600 Square Feet
DEVIATION			1.5

*These figures may include EMS units staffed by other agencies than just the fire department.

NOTE: The survey also asked each department questions regarding EMS revenues; however, since most of these departments are not the primary EMS provider for their community, they did not provide the requested information. Only Barrington provided the information.

- Total EMS Revenue – 2011: \$101,214.87
- Average Revenue per EMS Call – 2011: \$204.00
- EMS Billing Collection Rate (%): Unknown
- EMS Billing Rate (Medicare plus?): 40%

COMMUNITY	MINIMUM STAFFING ON FIRE UNITS *	MANDATORY DUTY CREWS/IN STATION TIME FOR YOUR ON-CALL/VOLUNTEER PERSONNEL	PAY RATE/SCALE FOR ON-CALL PERSONNEL
BARRINGTON	No	No	Point System
ELIOT	No	No	\$10.00/Hour
LEBANON	No	No	Point System
NORTH BERWICK	No	No	Per Call
SOUTH BERWICK	No	No	\$10.50-\$22.00/Hour
WELLS	No	No	Certification/ Point System
AVERAGE	6 No	6 No	\$13.13/Hour
BERWICK	No	No	\$7.50 - \$12.50/Hour *
DEVIATION			.76

* Berwick: Based upon certification(s) and rank.

COMMUNITY	HOW OFTEN DO YOUR ON-CALL/VOLUNTEER PERSONNEL TRAIN PER MONTH?	HOW ARE YOUR ON-CALL/VOLUNTEER OFFICERS SELECTED/PROMOTED?	DO YOU HAVE A PRE-FIRE/INCIDENT PLANNING PROGRAM?
BARRINGTON	4	Chief	Yes
ELIOT	1*	Membership Vote	Yes
LEBANON	2	Chief	Limited
NORTH BERWICK	1.5	Oral Boards by Outside Officers	No
SOUTH BERWICK	1**	Not Reported	Limited
WELLS	1***	Written Exam/Oral Board/Chief's Interview	No
AVERAGE	1.75 Times/Month	2 Chief's Appointment/ 2 Assessment – Interview Process/ 1 Membership Vote	2 Yes/ 2 Limited/ 2 No
BERWICK	2	Chief Interview****	Yes
DEVIATION	1.14		

* **Lebanon:** Minimum of 2 hours monthly

** **South Berwick:** 4 hours per month and/or 50 hours per year.

*** **Wells:** Minimum of 2 hours per month.

**** **Berwick:** Additional factors taken into consideration include certification(s), job performance, and seniority in the department.

COMMUNITY	NUMBER OF COMMERCIAL/ INDUSTRIAL OCCUPANCIES IN TOWN	NUMBER OF COMMERCIAL/ INDUSTRIAL INSPECTIONS PERFORMED	AVERAGE COST PER CALL
BARRINGTON	91	75	\$325.29
ELIOT	115	Only on Request	\$709.95
LEBANON	Unknown	Limited	\$356.21
NORTH BERWICK	2	4	\$746.21
SOUTH BERWICK	Very Few	Limited	\$463.76
WELLS	386	Only by Request	\$1895.73
AVERAGE	148.5	39.5/ 2 Limited/ 2 By Request	\$749.53
BERWICK	80	Only by Request	\$969.68
DEVIATION	.54		1.29

RECOMMENDATIONS

There are no recommendations associated with this Chapter.

SECTION II

ORGANIZATION MANAGEMENT AND LEADERSHIP

SECTION II

CHAPTER 1

CHAIN OF COMMAND/ORGANIZATIONAL STRUCTURE AND SUCCESSION PLANNING

OVERVIEW

The organizational structure of any organization, whether public or private, establishes the important heirarcial relationships between supervisors and subordinates, as well as the levels, divisions, and bureaus within the organization that allow it to function properly in pursuit of its mission. It also helps to clearly define the organizational chain of command from top to bottom, an especially important consideration in a quasi-military public safety organization such as the fire department where everyone from the highest rank to the lowest is subject to receiving orders and, with the exception of the lowest rank, also issues them. Effective communications in public safety agencies are essential and a cohesive chain of command allows everyone to know exactly who they report to and who reports to them.

OBSERVATIONS

The Berwick Fire Department is led by a fire chief who is the department's highest-ranking officer and who is designated to serve as the administrative and operational head of the department. The fire chief is a full-time career position, the first in the department's history. He is appointed by, and reports to, the town manager, with approval and consent of the board of selectmen. The current chief has been a member of the fire department for 47 years, has held his current position for more than 20 years, and has been full-time since approximately 1999. Prior to that time, he was a part-time fire chief, while concurrently serving as the town's code enforcement officer. The chief also concurrently serves as the town's Office of Emergency Management (OEM) coordinator.

The Berwick Fire Department's current formal table of organization also lists one assistant fire chief and one deputy fire chief, both of which are part-time, on-call positions. The assistant chief is the fire chief's brother. The deputy chief's position has

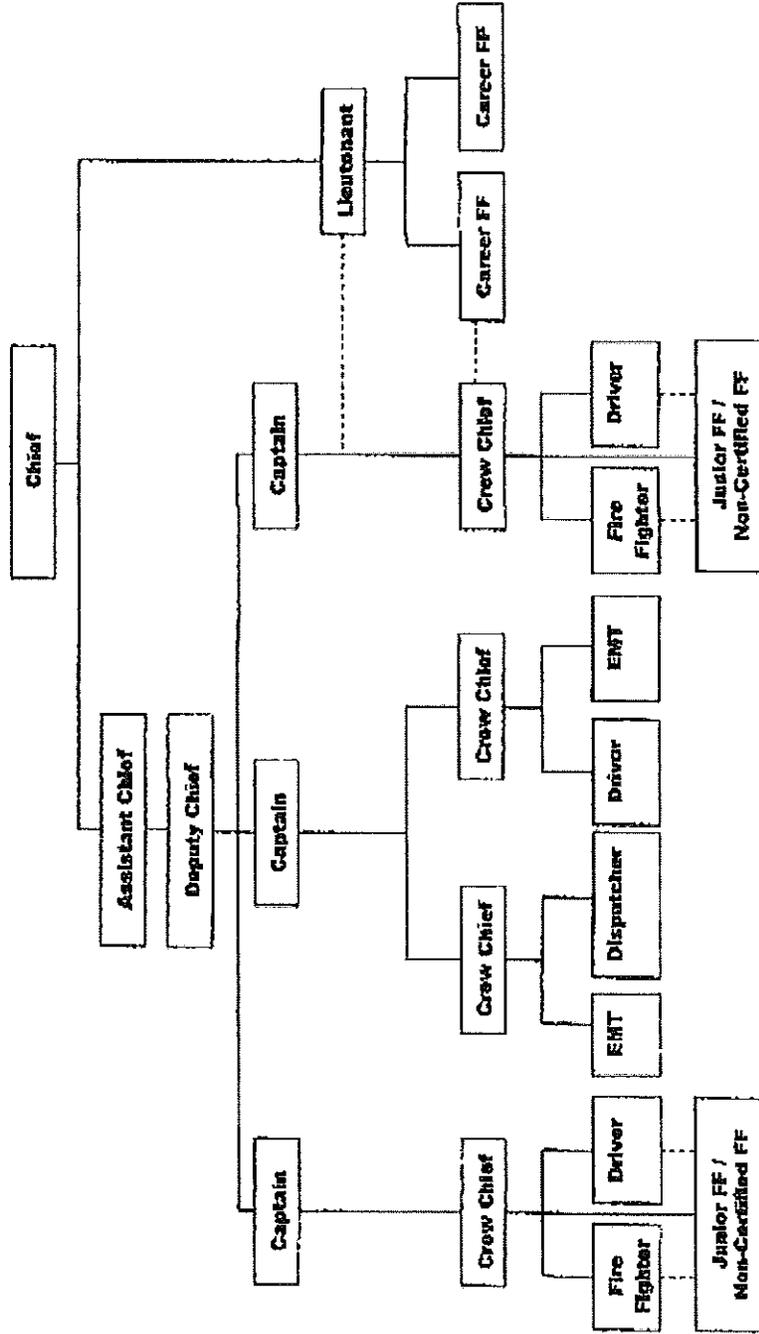
been vacant for approximately three years since the untimely but natural death of its most recent occupant.

Below the deputy fire chief are three part-time on call captains. Two of these personnel have held their positions for an extended period of time and both also serve as career firefighters (one is a lieutenant) in other departments. They are both sons of the fire chief and nephews of the assistant chief. The third captain's position was filled in October 2012, by a long time crew chief who was promoted. Under the captains are four crew chiefs, two of which were also promoted in October 2012. Two of the three captains only have one crew chief who reports to them, while the third has two, although the department informed the study team that the chart is more illustrative than truly representative of actual lines of report. Reporting to the crew chiefs are firefighters, drivers, EMTs, and the dispatcher. The chart lists non-certified and junior firefighters beneath the firefighters and drivers. Two of the crew chiefs do not show any "firefighters" under their command, just drivers, EMTs, and the dispatcher. The study team was not informed of, nor has any documentation that suggests that the department has any personnel who are strictly EMTs. In addition to her duties as a dispatcher, the person who fills this role also assists the department with various administrative tasks.

The chart shows one full-time, career lieutenant, who also functions as the department's training officer, and two full-time career firefighters. The lieutenant answers directly to the fire chief in the normal chain of command, but falls under the call captains on emergency incidents. The two career firefighters report to the lieutenant and are equal to the crew chiefs on emergency incidents. While it is understood that the lieutenant in essence functions as the department's executive officer, this is an unusual arrangement that seems like it could result in confusion regarding the chain of command and easily allow, if not encourage, not only circumvention of the chain but, loss of a cohesive and effective flow of intra-departmental communications. The department's current organizational chart is shown in Figure II-1-1.

CURRENT ORGANIZATIONAL CHART; FIGURE II-1-1.

Berwick Fire Department



— Normal Chain of Command
 - - - Chain of Command at Emergency Incident

SOG Page #: 2



Basic job descriptions have been established for each position in the department, both career and volunteer. This is something not found in many fire departments and rarely ever seen in predominantly call or volunteer departments. Overall, we found these job descriptions to be adequate. However, we do believe they could be more specific regarding the requirements for each rank, including required time in grade in the previous position prior to being eligible for promotion to the next higher rank.

It was reported to the study team that in past years, call officers received a stipend for their positions. They all voluntarily relinquished the stipends to provide additional on call funding for the other members of the department. They should be commended for this action. None of the call officers have specific apparatus and/or administrative duties assigned to them, but the MRI study team was informed that most of them will take on whatever project or duty is requested of them. They are also not assigned responsibility or supervisory oversight over any specific members of the department.

While the department does have a policy on promotions, at the current time it does not involve a testing and/or assessment process. Promotions are based upon an evaluation of the applicant's training, certifications, experience, and seniority, followed by an interview with the fire chief who makes the final selection. A number of members privately expressed concern not only about the qualifications of some of the crew chiefs, but also with the career firefighters serving as *de facto* crew chiefs merely by virtue of their positions.

Company level officers (captains, lieutenants, and crew chiefs) are working supervisors. They form an integral part of their company or unit and it is often necessary for them to assume hands-on involvement in operations while simultaneously providing oversight and direction to their personnel. During structure fires and other dangerous technical operations, it is imperative that these officers accompany and operate with their crew to monitor conditions, provide situation reports, and assess progress toward incident mitigation. During structure fires, they must be capable of operating inside of the fire building with their crews, the most dangerous place on the incident scene. It is imperative for them to be highly qualified and experienced in order to instill confidence in their personnel.

The chief holds monthly officers meetings and, according to the officers, communications, and the flow of information up and down the chain of command is good. However, that view is not shared by all members of the department as was noted in our anonymous on line survey and some individual interviews with members.

One of the concerns that was brought to the MRI study team's attention several times during our interviews, particularly with some newer members of the town's leadership, was the difficulty in gaining an accurate count of how many members the fire department even has. We did not find that to be a problem. We asked for and received an up-to-date personnel roster without any difficulty. This roster lists a total of 32 people, of which we consider 30 to be classified as firefighting personnel (one is the

dispatcher and one is a junior member). This figure is consistent with the department's website and with other subsequent statistical documents that we received. It is important to remember that in call/volunteer fire departments, actual numbers tend to fluctuate as members move on or as new members are recruited and join. Based upon the fact that out of 30 personnel there are 10 officers, that leaves 20 active members in the department, although some of them are either non-certified or perform solely as drivers.

As has been discussed in other chapters, we believe that all personnel in the department should be certified firefighters, all members of the department should be qualified to drive and operate at least the basic apparatus (Engine 2, Engine 3 and Squad 5). Personnel who are only drivers provide only a limited benefit to the department, particularly in limited staffing conditions.

The MRI study team has several concerns regarding the existing chain of command and organizational structure. First, and as will be discussed in greater detail in Section II, Chapter 6 *Accountability and Professionalism*, the fact that the department's top four positions are all filled by members of the same family certainly fuels a perception that key department decisions may be made in someone's kitchen or family room, rather than at officers' meetings. In addition, it would not be unreasonable to be concerned that there could be favoritism, or at the very least, a lack of true objectivity or impartialness regarding personnel issues and decisions. We also have concerns about the lack of confidence some of the members have in their officers (particularly the crew chiefs) and how those officers are selected. The designation of crew chief does not seem to fit in with standard fire department operations, particularly a municipal fire department on the east coast. Finally, we believe that the chain of command can be reconfigured to make it more conducive to effective and efficient operations.

There is currently no succession plan in place in the fire department. Although the chief has been with the department for over four and one-half decades and been the chief for two, he informed the study team that he has no immediate plans to retire. Maine does not have a mandatory retirement age for public safety employees. The chief also informed the team that he just assumed that his brother, the assistant chief, would take command upon his retirement. We do not believe that an "automatic" succession plan, having another member of the same family lead the department without considering other options, would be in the best interests of the town or the fire department.

While the fire chief's retirement is not imminent, the chief and the leadership of the town should start a succession planning process now, rather than later. They should carefully examine the options for making a successful transition to the next leader. It is our opinion that in addition to the requisite education and experience, the successful candidate should have excellent leadership, management, and communications skills to be able to articulate his/her vision for the department moving forward; repair (or hopefully just continue repairing) the rifts between the town and the department; insure that all personnel are working in unison toward common goals and to achieve that

vision; to implement whatever remaining recommendations found in this report that have not been addressed; and to navigate through the choppy waters that major transition brings to any organization. Previous experience managing a combination full-time/call fire department will be a definite plus.

It is our opinion that the town should also revise the department's overall table of organization to clearly delineate the chain of command and make it more effective. In order to stress the fact that the Berwick Fire Department will continue to be primarily a call department, probably supplemented by a small career staff, the department's second-in-command position should remain a call position. The next person selected to fill this position, as well as all other officer positions, should be filled based upon the person's firefighting/emergency services training, certifications, and experience, along with successful completion of a competitive assessment process and a basic practical skills evaluation. In addition, only personnel who have been assessed and deemed qualified and possess the appropriate certifications, should be utilized as "acting" or fill-in officers. All officers should have one or more administrative duties/responsibilities to assist the fire chief with the department's overall management, in addition to their normal emergency scene operational duties and station management responsibilities.

RECOMMENDATIONS

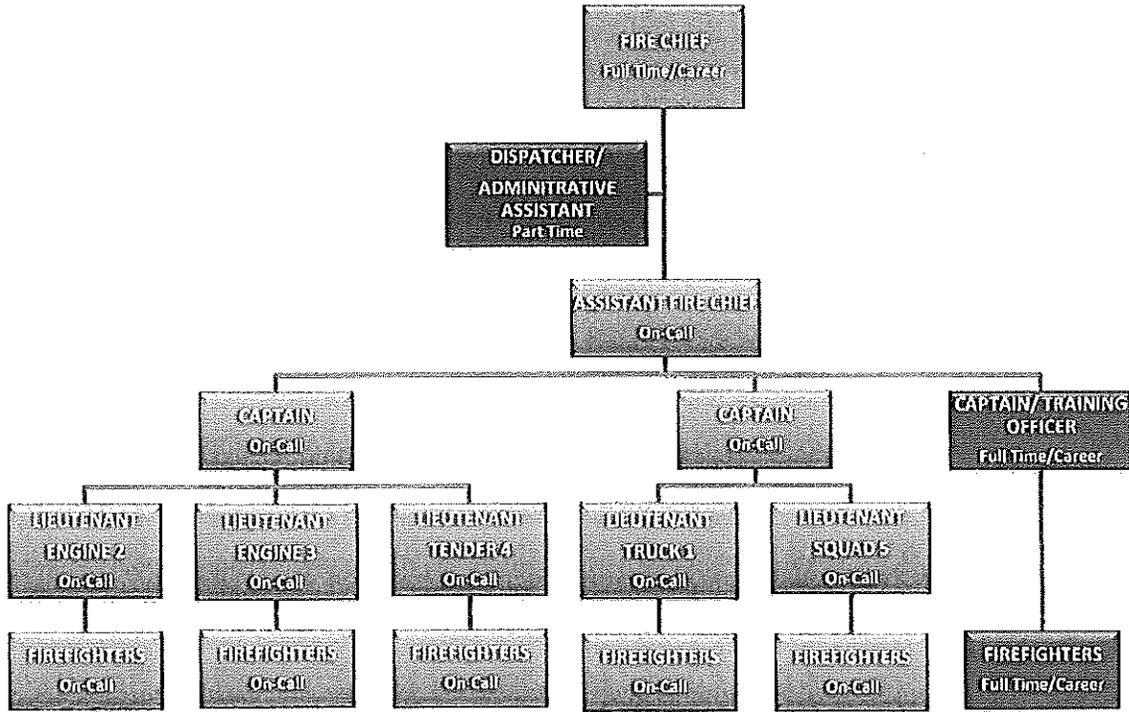
- II-1-1.** Managing, administering, and leading a modern day fire department requires a complex set of knowledge, skills, abilities, training, and experience. As a result, the Town of Berwick should maintain the position of fire chief as a full-time, career position. In conjunction with the current chief, they should begin a succession planning process to begin looking toward the future and the changes that will bring to the department.
- II-1-2.** As part of the succession planning process, the fire chief should implement a career development program to insure that all officers can perform their superior's duties, as well as identify the core future leaders of the department.
- II-1-3.** When the time comes to select a new chief, through a variety of evaluative and assessment measures, the town should attempt to select a leader who possesses the ideal combination of assets they have identified necessary to meet the unique needs of the Berwick Fire Department to lead it through this critical transition process.
- II-1-4.** The town should revise the department's overall table of organization making it more effective and better establishing appropriate hierarchical relationships (Figure II-1-2).

NOTE: Should the department decide at some point to open a sub-station at another location in town, then one of the call captains would be reassigned to

that station as the station commander, along with whatever number of lieutenants would be appropriate for the apparatus and personnel resources that would be assigned there.

- II-1-5. In order to stress the fact that the Berwick Fire Department remains primarily a call department, supplemented by a small career staff, the department's second-in-command position should remain a call position.
- II-1-6. The department should reclassify the position of crew chief to lieutenant to better clarify the rank and its responsibilities. As part of this process, personnel seeking to be appointed as lieutenant should be required to complete a formal assessment process and basic skills evaluation.
- II-1-7. In light of his additional responsibilities as the department's training officer and his *de facto* role of being the department's executive officer, the career lieutenant's position should be upgraded to captain.
- II-1-8. All officer positions, from lieutenant to fire chief, should be filled based upon firefighting/emergency services training, certifications, and experience, along with successful completion of a formal, rank appropriate assessment process, and a basic practical skills evaluation.
- II-1-9. All officers should have one or more administrative duties/responsibilities to assist the fire chief with the department's overall management, in addition to their normal emergency scene operational duties and station management responsibilities.
- II-1-10. Consideration should be given to reinstating the annual financial stipend for each of the call officers to compensate them for the time involved with assisting with the management of the fire department. However, with this stipend must come increased expectations and accountability.

**FIGURE II-1-2
RECOMMENDED TABLE OF ORGANIZATION**



SECTION II

CHAPTER 2

BUDGETING AND GRANTS

OVERVIEW

The budget that is provided to an emergency services provider is one of the major indicators of the level of service and/or protection the governing body feels that they can afford for the providing of vital fire and/or emergency medical services operations within the community. It can also be used as a barometer to compare against other similar communities to evaluate appropriate and/or necessary levels of funding. Finally, it can be used as a management tool to not only evaluate how effectively and efficiently services are being provided, but also how well the department head manages the budget.

There are many different ways to approach budgeting. Each town must determine the budget method, process, or strategy that works best for them. Regardless of the process selected, monitoring and assessment of budgetary expenditures must be an ongoing process throughout each budget year or cycle. In addition, any and all requests for increases in any budget line, or funding for any new programs, initiatives, and/or capital expenditures must be strongly justified.

The use of grant funding provides a community with opportunities to fund projects and/or programs that they would not otherwise be able to do. In most cases, grants should be sought for any projects for which funding may be available. Caution must be exercised, however, regarding any potential costs to the governing body once the grant performance period is complete. In every case, a grant should only be sought by an individual department after approval has been received from the local governing body, in this case the board of selectmen. All grant activity and applications should be coordinated through the town manager's office.

OBSERVATIONS

The MRI study team was provided with a basic spreadsheet that illustrated the Berwick Fire Department's actual budgets for fiscal years 2009/2010, 2010/2011, and 2011/2012 budgets. Based upon these documents, the Berwick Fire Department budget increased from \$376,756 in 2009/10, to \$513,347 in 2011/12 (Figure II-2-1), an increase of \$136,591. This equates to a 36% increase in the budget over just three years. The vast majority of this increase was directly attributable to increases in personnel costs that totaled \$119,772.

Of the budget increase, \$14,360 was for an increase in the call firefighter salary line. The remaining \$105,412 was primarily attributable to line items for the full-time career staff including salaries, overtime, retirements, and health benefits. The 2011/2012 budget year is the final year of the SAFER grant performance period and the first year where the town is responsible for 100% of these salaries and benefits. If the \$242,958 that is allocated for career staff line items were not included, the budget would total \$270,389.

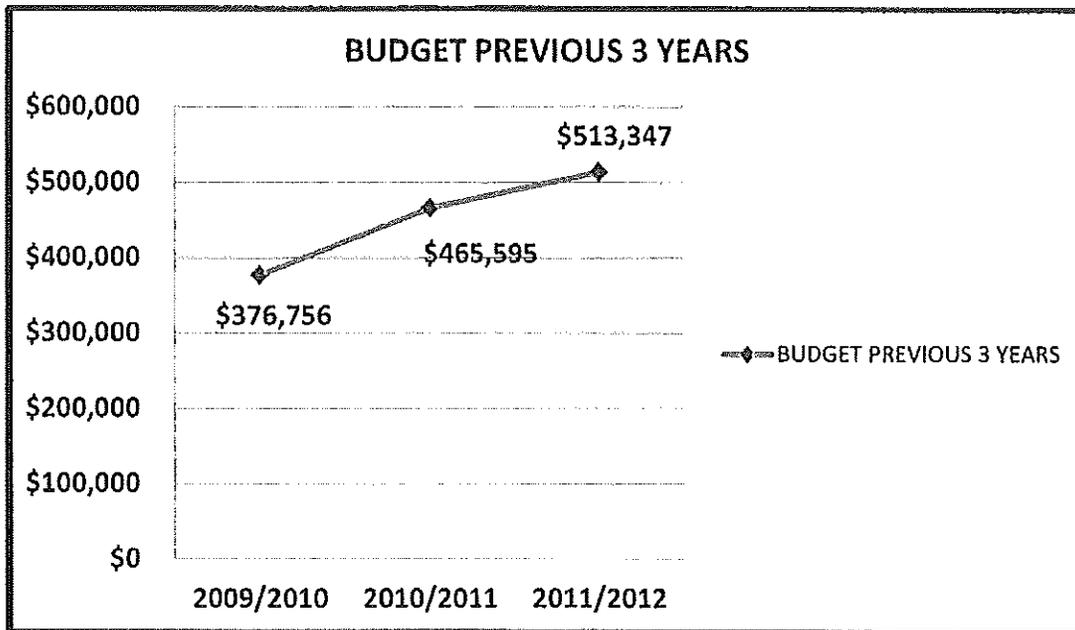


Figure II-2-1

When analyzing fire departments budgets, many fire departments allocate 90%, or even more, of their budgets to personnel costs. The more heavily career a department is, the higher the percentage tends to be. Berwick is a hybrid or combination type of department. While the department has the four full-time, career personnel the remainder of the department's members are part-time personnel; there are no true volunteers. While operating with on call personnel is a very cost effective way for the department to operate, the call personnel's salaries do contribute to an increase in the budget over a true volunteer department. In 2011/2012, Berwick allocated \$362,417 to personnel salaries and other costs. This includes both full-time and call personnel, and equals 71% of the total budget which is lower than in many communities (Figure II-2-2).

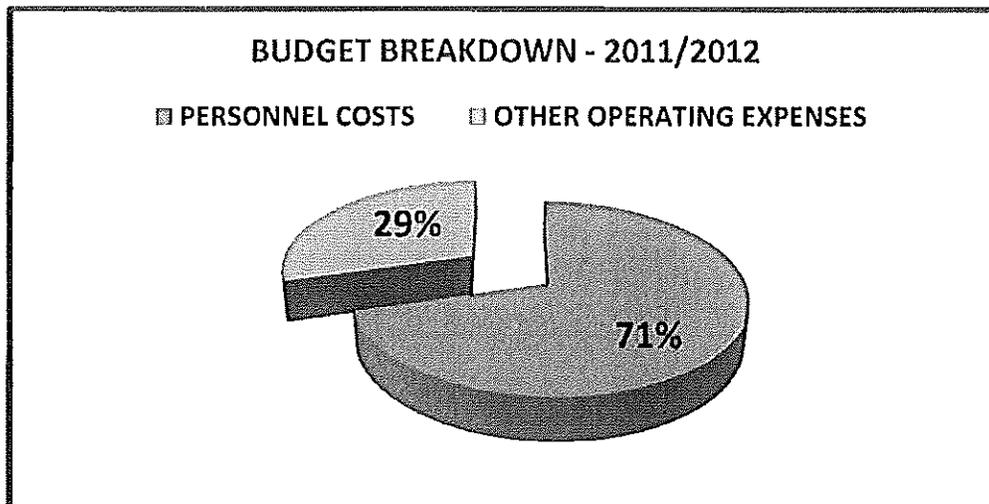


FIGURE II-2-2

The MRI team noted that throughout this time period, the majority of budget line items received at least a small increase in funding each year. This is noteworthy in that while even without considering the personnel cost increases brought on by the diminishing funding provided by the SAFER grant, the budget continued to increase at a time when government entities across the country were struggling with their worst budgetary crisis in nearly 75 years. During this time most fire departments were either coping with flat funding, or even facing budget cuts, in some cases of 10% to 20%. The Berwick Fire Department is very fortunate to have been able to enjoy even modest budget increases during this time through the generosity of the citizens of the town.

Most of the line items in the budget appear to be reasonable and not excessive. The only one that seemed a bit high to the team was \$40,000 for equipment maintenance. While emergency equipment must be maintained, and maintenance and repairs tend to be higher for emergency apparatus and equipment, this figure is higher than what would normally be expected in a town the size of Berwick and with the department's number of incidents.

It was reported to the study team that until about two years ago the fire department and town had capital budgets. These were eliminated at the depths of the economic downturn. Capital budgets provide an excellent way for communities to anticipate, plan, and budget for their major needs and expenses. They can take into account permitted budgetary increases or caps, bonding and financing capacity, and projected increases or decreases in revenue.

The Berwick Fire Department has had mixed success at obtaining grants for the funding of various projects, programs, and initiatives. In this day of austere budgets due to the continuing economic uncertainty, grants and other external sources of funding are one of the few ways that most communities and fire departments can fund major projects including critical ones such as equipment or apparatus replacements. The various grant

programs can help to offset the need for the community to fund major capital needs through normal funding processes, bond issues, etc. Berwick should be commended for continually seeking out these grant opportunities, and attempting to secure funding through them. As a small community, Berwick is particularly fortunate in that if there is a local match for a grant program, it is usually small, often in the area of about 5% of the project amount.

Grants are available from a number of different sources, both public, and private. However, as the economic outlook deteriorated, many of the private grants were stopped, or at a minimum, significantly reduced or suspended. There are still federal grants that are available, but even these programs have been reduced and face elimination each budget year, and with each subsequent budget crisis or battle. Although they have never actually been funded anywhere near the levels they have been authorized, there is a trio of federal grant opportunities that are coveted by fire departments and emergency responders looking to fund a wide variety of projects. The oldest of the programs that grew out of the September 2001 terrorist attacks is known as the Assistance to Firefighters Grant (AFG) program. These grants, also known as Fire Act grants provide funding to fire departments for the purchase of apparatus, equipment, training programs, fire station safety enhancements, and initiating safety programs to name just a few.

The Staffing for Adequate Fire and Emergency Response (SAFER) grant program provides fire departments with funding for staffing and personnel. This funding can be utilized for either the hiring of career staff, or the recruitment and retention of on call or volunteer personnel. As was discussed in Chapter I-3 *Staffing*, we recommend that the Town of Berwick and Berwick Fire Department apply for a SAFER grant for recruitment and retention of additional on call staff.

The final category of federal grants is the Fire Prevention and Safety (FP&S) grants. These grants are targeted toward fire prevention initiatives such as public education programs, burn prevention, and free smoke detector programs.

For a number of years, Berwick was not successful at obtaining these grants. However, the department's fortunes changed in 2007 when they were awarded a SAFER grant for \$210,850 dollars to allow for the hiring of two additional career firefighters to supplement daytime staffing. At the time, the department had two full-time personnel, the fire chief, and one firefighter who had been changed from part-time to full-time status in 2005. With the SAFER grant, the department was able to provide a four-person crew on duty during the day. Under this grant program, the percentage of salaries and benefits for these personnel that the town was responsible for increased incrementally in each of the grant's five years from no local match required in the first year, to the town being responsible for 100% of the personnel in the final year.

The benefits that the town has derived through the receipt of this grant, and being able to deploy these personnel, is very clear when looking at the department's statistics. On

scene response times during the time they are on duty are significantly lower than during times when they are not. In addition, they provide a guaranteed response to emergency incidents and allow the department to comply with the OSHA "Two In – Two Out" regulations for initial structural fire attack operations. Finally, they also perform a wide range of administrative and support duties and functions when they are not responding to emergencies.

Despite the obvious benefits the town has derived from the SAFER grant, and the personnel that were obtained through it, this grant and application have remained controversial. While the MRI study team did not perform an in depth analysis, or a forensic audit, of the original grant application, we did review it and it appeared to be appropriate and reasonable. Nothing in either the screening information or the grant narrative appeared to be excessive or out of the ordinary. In addition to our review, this grant has been scrutinized by various entities based upon complaints from members of the community. The Federal Emergency Management Agency (FEMA) apparently looked into complaints that were made and found no basis for the allegations. The Maine Attorney General's Office was also contacted and found nothing with the grant that warranted action or involvement on their part. The grant was also reviewed informally by a state legislator who is the President of Maine Taxpayers United. The application was found to be in order.

Since 2008, the Berwick Fire Department has received an AFG grant four times. These grants resulted in total funds being received from the federal government in the amount of \$498,010.00, while the Town of Berwick had to contribute just \$26,210.00, not counting additional money the town contributed for purchasing the tanker in 2008 (Figure II-2-3).

YEAR	GRANT REQUESTED FOR	FEDERAL SHARE	BERWICK SHARE
2008	WATER SUPPLY TANKER	\$190,000.00	\$10,000.00 plus \$142,665.00
2009	SELF CONTAINED BREATHING APPARATUS AND STATION AIR COMPRESSOR AND FILL STATION	\$133,433.00	\$7,022.00
2010	STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT AND CLEANING EQUIPMENT	\$55,827.00	\$2,938.00
2011	WILDLAND FIREFIGHTING UNIT	\$118,750.00	\$6,250
TOTAL		\$498,010.00	\$26,210.00

FIGURE II-2-3

The fire department has also applied for various federal grants a number of times that were not successful. These include the tanker truck three times, the SCBA and compressor two times, and additional staffing twice. They applied once each for PPE, the brush truck and fire inspector training, as well as seeking a FP&S grant for high visibility street address signs. They also applied for a one time only grant program for fire station construction.

The number of unsuccessful applications should not be construed in any way as reflecting negatively on the department or its grant writing. The competition for these grants is intense with only about 10% of applications ultimately being funded. There are also certain limitations to the program such as the amount of total grant funding that can be allocated for apparatus purchases. Departments can also apply for funding for multiple projects in the same year; however, only one of them is generally approved. The department has also applied for a number of other grants from various sources, again with varying levels of success, including from the Maine Volunteer Fire Assistance Program. While not technically a grant source, the Berwick Volunteer Firefighter's Association raises money in the community and then purchases equipment which it donates it to the Berwick Fire Department. The equipment the association purchases are items that would otherwise not be able to be obtained.

Despite the financial challenges that are still facing the economy, there are other grant opportunities that are still available. Wal-Mart provides store-based grants to assist their hometown communities. Other major corporations have similar programs.

RECOMMENDATIONS

- II-2-1.** The Town of Berwick should carefully monitor the budget management of each department (not just the fire department) to insure that each expenditure is necessary and is being completed for the most cost effective option available.
- II-2-2.** As part of the annual budget development process, the Berwick Fire Department should be required to prepare and submit formal written justification, along with any appropriate supporting documentation, for any requested increases in line item funding. There should also be a formal budget meeting with the town manager and/or the board of selectmen as part of the process of preparing the proposed budget.
- II-2-3.** The Town of Berwick should develop a capital budget to allow each department, as well as the town in general, to anticipate and plan for large budget purchases such as new fire apparatus, expensive equipment, or building renovations and/or repairs.

- II-2-4.** The Town of Berwick should explore the possibility of their career staff serving as a regional or shared service resource. This may involve surrounding communities such as North Berwick, South Berwick, and Lebanon contributing funding for these personnel. In return, they would automatically respond into those towns to assist with providing a rapid guaranteed response.
- II-2-5.** With approval of the board of selectmen and/or the town manager, the Berwick Fire Department should be encouraged to continue to seek out, and apply for, any grants for which they may be eligible. This should include grants from both public and private sources.

SECTION II

CHAPTER 3

POLICIES AND PROCEDURES; RULES AND REGULATIONS

OVERVIEW

The use of rules and regulations, operational procedures, and various other forms of written communications are vital parts of a fire department's overall operations. In conjunction with the municipality's policy manual, rules and regulations establish expected levels of conduct and general obligations of department members, identify prohibited activities, and provide for the good order and discipline necessary for the credible operation of a quasi-military emergency services organization. Operational procedures insure the consistent, effective, efficient, and safe operation of various aspects of the department's operations, both emergency and routine. One of many common denominators among the best fire departments across the United States is that they have a comprehensive written communications system that includes an up-to-date operational procedures manual, and all their personnel are well versed and well trained in those procedures. Enhancing the system even further through the inclusion of other documents such as training and safety bulletins serves to make the system more effective.

Statutes carry the full force of law and are enacted by legislation at either the federal and/or state level. All applicable parties within their scope are bound by their provisions and responsible for compliance and/or adherence. Regulations often carry nearly the same weight, the only exception being they are adopted through an administrative process rather than by legislation. Personnel policies comprise an important set of documents for employees that outline the expectations of the employer regarding employee conduct. They establish obligations of the employer and the employee. They also clearly establish the position of the employer regarding issues that could result in liability for the employer, and they establish employer compliance with a wide range of federal and state statutes and regulations. Finally, when employees are properly trained, and policies are properly enforced, the consistency of the employer's operation is significantly improved. Standard operating procedures address a wide range of day-to-day operations, both administrative and emergency. They may also establish specific procedures on how the implementation of and/or compliance with specific statutes, regulations, and policies are to be achieved or accomplished within a specific department.

The MRI study team evaluated the Berwick Fire Department's current written policy and procedures system and found that it was fairly extensive and for the most part was well written and comprehensive. The system was much more comprehensive and up-to-date than the systems found in many call and career fire departments. Many of the documents contained within had been issued/updated over the past several years,

including a number of them in 2011, as part of a concerted effort by the department to update the manual.

OBSERVATIONS

The study team reviewed the Berwick Fire Department's current electronic policy manual, which contains most of the department's written documents. The manual was fairly extensive, consisting of more than 65 different policies, procedures/guidelines, and plans. The manual is broken down into the following sections/categories:

Introduction

Section 1 - Rules & Regulations

Section 2 - Suggested Operating Guidelines

Chapter 1 - Administration	11 Guidelines
Chapter 2 - Call Department	4 Guidelines
Chapter 3 - Emergency Response	25 Guidelines
Chapter 4 - Fire Prevention	No Guidelines
Chapter 5 - Training	5 Guidelines
Chapter 6 - Communications	4 Guidelines
Chapter 7 - Facility Maintenance	4 Guidelines
Chapter 8 - Apparatus Maintenance	3 Guidelines
Chapter 9 - Supply and Equipment	8 Guidelines
Chapter 10 - Full-time Personnel	3 Guidelines
Chapter 11 - Infectious Control Plan	

Section 3 - Emergency Action Plan – Fire Station

Section 4 - Job Descriptions 12 Positions

Section 5 - Discipline Policy

The format, organization, and filing of a policy and procedure manual must be user friendly or it will sit on a shelf unused. The general set up of the current policy/SOG manual is good and it is easy to utilize and cross-reference the necessary procedure.

Generally speaking, overarching policies are established by the governmental authority having jurisdiction, in this case the Town of Berwick. Individual departments have either standard operating procedures (SOPs) or standard operating guidelines (SOGs) that implement policies and practices at the department level. The terms "procedure" and "guideline" are often used interchangeably, but should be applied consistently throughout the system. Berwick has elected to refer to their documents as guidelines. The term "guideline" implies that the user has some flexibility in the application of the policy, which should not be permitted for certain activities. For example, the use of vehicle restraints (seat belts and shoulder harnesses) in moving vehicles should always be mandatory. Activities that are mandatory should be written and enforced as standard operating procedures or as part of a rules and regulations document, not guidelines.

Overall, the SOGs contained in the manual appear to be well written, although the level of detail, or comprehensiveness, varied from document to document. We believe this is probably just a function of the style and/or preferences of the original author or initiator. From a content perspective, the guidelines appear to be consistent with currently accepted standards and best practices in the fire service. Most of the guidelines have either been issued, or updated within the past several years, with many showing a 2011 issue date.

The Berwick Fire Department uses a standardized form for the preparation and distribution of their SOGs. Page 1 of the form contains a header that includes the document name/subject, its number, the section it is classified in, the issue date, who initiated the SOG, what guideline it supersedes (if applicable), and the chief's approval. There are no page numbers (i.e., page 1 of 4) and pages beyond the first page of the procedure contain no header with any pertinent information. Each SOG also contains a purpose statement and identifies the scope of the document.

The introduction to the manual advises that any member of the department can initiate the development of an SOG. Once they have developed a draft of their suggested guideline on the department's standardized form, it is forwarded up the chain of command for review/revision with the chief either ultimately approving or rejecting it. The team was also advised that a committee of department members is conducting an ongoing review and update to the manual. The department should be commended for both of these practices.

Section 1 of the manual is the department's rules and regulations. This procedure contains 22 articles that establish some of the department's expected levels of conduct and prohibited actions by members of the department. While this document is well written, we believe that it would be best if the rules and regulations were separated out into a standalone document. It could also be combined with Section 5, the Discipline Policy, and expanded to include some other important sections as identified in the recommendations section of this chapter.

There are no specific operational procedures in place to deal with mission critical operations such as *Personal Protective Equipment (PPE) Use, Basic Engine Company and/or Truck Company Operations, Vehicle Fires, Vehicle Extrication Operations, or Rural Water Supply/Tender Operations*. Despite that fact that a significant percentage of the department's responses are emergency medical services (EMS) related, the manual contains only one EMS specific procedure, and that deals with response. There are no procedures on fire prevention operations. All of these types of operational procedures are important and provide standardization and consistency of operations.

While we wish to reiterate the fact that the department's SOG manual is well written, is consistent with currently accepted standards and best practices in the fire service, and is currently under revision, there are a few specific concerns that we have regarding individual SOGs.

- SOG EMRS 12: *Medical Aid Calls*, states that only licensed personnel will respond to these calls unless an apparatus is requested. Otherwise, personnel respond to the scene in their private vehicle. It also states, "There will be occasions during which there will be no personnel available to respond to medical calls".

We have several concerns here. First, the department does not require any medical training other than CPR. Only 6 members are listed as being EMT certified, creating a very limited pool of personnel to draw from for these incidents. Second, allowing personnel to respond in their own vehicles, particularly if they do not have a portable radio, creates accountability and safety issues. Finally, the statement that the guideline acknowledges the department may not be able to cover these calls at all times could very well create a perception that service levels are significantly different depending upon the time the incident occurs.

- SOG TRNG 3: *Safety Officer*, states that the deputy chief will be the department's safety officer. This position has been vacant for 3 years. Is this role being filled, and by whom?
- SOG CALL 1: *Membership Requirements*, states that prospective members must take and pass a physical exam, attend mandatory training, and serve 6 months to 1 year of probation. All of these requirements are good. However, there are a number of other things the team believes should be part of the screening process, whether at the department level, or more appropriately, at the town level. These include, at a minimum:
 - Possession of a valid driver's license (all personnel should have their driver's licenses checked on an annual basis)
 - State and federal criminal background check including fingerprinting

- Drug testing
- Credit, employment, and reference checks

While the fire department has reportedly performed background checks on all potential new members for several years, the extent of these checks is apparently limited to a State of Maine criminal check. The problem with this limitation is that if the person has relocated from another state and has a criminal record, restraining/protection order, etc. from there, it may not show up on the limited in-state record check. The MRI study team did not have the opportunity review any of the background check reports during our assessment. If the town has credible concerns regarding the background of any of their current personnel, they should seek advice from their legal counsel on the appropriateness and/or legality of performing a thorough retroactive background investigation.

In February 2012, the department did issue a *Social Media* guideline. They should be commended for this as many fire departments are still grappling with this issue and how to balance department needs for order, discipline, and professionalism against constitutional rights. Hopefully, this guideline is, and will continue to be, enforced.

While there were no state statutes contained within the manual, there are a number of Maine statutes and regulations that are applicable to fire departments that should be easily, and conveniently, available to department members both on line and a hard copy manual in the station. The department's Respiratory Protection Plan/Policy, Infection Control Plan, and the town's Emergency Action Plan are all included in the manual as either sections, chapters, or individual SOGs. It is our belief that the department and its members would be better served by separating each of these types of documents out into their own individual manual, with the SOG manual containing guidelines necessary to implement and/or comply with the statute, regulation, policy, or plan. Not only would doing this allow there to be a clear distinction between the various types of documents, it would also serve to clarify the relative importance of each type of document.

Generally speaking, the order of these documents should be:

1. Statutes
2. Administrative Regulations
3. Town Policies
4. Rules and Regulations/Code of Conduct
5. Standard Operating Procedures
6. Standard Operating Guidelines

Care should be taken that these documents do not conflict with one another, or to the extent possible, the collective bargaining agreement for the career personnel.

When a new guideline is issued, it is posted on a board in the station for 30 days prior to it taking effect. The training officer also tries to send it out electronically, via e-mail, to

all department members, but this is not required and does not always happen. If there is a need to address an issue immediately, the department should issue a directive to that effect.

MRI also performed a very basic assessment of the town's policies in relation to their applicability to the fire department. The Town of Berwick's policies are divided into three major groups. These are:

- Code of Ethics (Standard of Ethical Conduct for Town Officials and Employees) adopted by the board of selectmen in April 2010. This code is required to be reviewed by a supervisor with each new employee, signed, and then placed into the employee's personnel file.
- Board of Selectmen Policy Book that contains 39 policies covering a wide range of subjects. While some of these policies are a bit dated, most of those involve issues such as requesting a streetlight that would not really change over time. The vast majority of the policies have been issued or revised over the last five years and appear to be thorough and up-to-date.
- Town of Berwick Personnel Policy that contains all of the town's policies related to its employees and their employment with the town. Included in this document are critically important policies such as Equal Opportunity Employment and Harassment. The board first enacted these policies in October 1999. Since then they have been amended eight times; however, the most recent amendment appears to have occurred in December 2008. These policies still appear to be up-to-date.

While the MRI study team members are not human resource or legal specialists, the existing policies do appear to be sound based on comparable common practices. We make the good faith assumption that prior to adoption, all policies are reviewed by the town's legal counsel to insure that they will pass muster and/or withstand any potential challenges. Likewise, we assume that the town's legal counsel and/or town manager advise the board regarding policies that are necessary and should be adopted.

It was reported to the study team that while it is very clear that the town's policies apply to the career personnel because they are town employees, it is far less clear whether they apply to the call firefighters and officers. Some people at both the town and fire department levels feel that they should apply, while others do not since the call personnel are still viewed more as volunteers. It is our opinion, that without question, the call firefighters are employees of the Town of Berwick and fall under the classification of regular part-time employment thus making the town's personnel and other policies applicable. The town pays them a regular stipend or hourly wage based upon their attendance/participation, provides them with all of their equipment and training, and provides them with insurance. The fire department references and/or implements a number of town policies in their guidelines.

The applicability of the town's policies to the call firefighters is very important to both the town and the fire department from a risk management perspective. It also looms large with regard to one of the town's major concerns regarding the fire department's top four positions all being held by members of one family, and the resulting perceptions and/or concerns regarding nepotism. While this issue will be discussed in greater detail in Section II, Chapter 6, *Accountability and Professionalism*, it should be noted that as currently written, the town's personnel policies state that relatives shall not be put in a position of supervising other relatives. The policy also only specifically prohibits hiring blood relatives of the board of selectmen and town manager, and even then, only for full-time employment.

The town's personnel policies also state that the town manager is responsible for maintaining all official files on all employees in accordance with applicable laws. At the present time, files are maintained in the town hall for the full-time career personnel. Files for the call personnel are maintained in a locked cabinet in the fire chief's office. The chief informed the study team that those files had always been maintained strictly by the fire department and no one had ever directed, or even requested, that they be moved. This fact was confirmed by a former town manager.

RECOMMENDATIONS

- II-3-1.** The Berwick Fire Department should continue its ongoing efforts to perform a comprehensive update and revision of the department's Standard Operations Guidelines Manual, including the addition of mission critical procedures such as, but not limited to, *Personal Protective Equipment (PPE) Use, Basic Engine Company and/or Truck Company Operations, Vehicle Fires, Vehicle Extrication Operations, Rural Water Supply/Tender Operations, and EMS Operations*. The department should also change the name of the documents from "Suggested" to "Standard", and restructure the manual, removing plans and policies.
- II-3-2.** The first operational guideline should identify and explain the components of the revised written communication system, including the use and organization of the Standard Operations Guidelines Manual and other components of the system, such as standardized forms. This procedure should also contain a provision that the entire Standard Operations Guidelines Manual will be reviewed on a least an annual basis and that updates and revisions shall be made at any time, as necessary.
- II-3-3.** While "directives" were mentioned to the team, there is no formal mention of them or how they fit into the overall system. The Berwick Fire Department should expand their written communications system beyond just SOGs. This expansion could include General Orders which can place orders, directives, and/or special instructions into written form; Training Bulletins, which would

be issued to serve as reference with regard to tested and approved methods of performing tasks; Safety Bulletins, which are issued to serve as references with regard to general and specific safety and health issues; and Informational Bulletins, which are published for the general knowledge of recipients. A numbering system should also be implemented to keep track of these documents for indexing and future reference purposes.

- II-3-4.** The Berwick Fire Department should develop and implement a guideline that provides for the documented review of policies, procedures, general orders, etc. that includes a provision requiring each member of the department to sign that they received the document, have read it, and understand it. This can be done electronically if the town and/or fire department has that capability. However, a hard copy manual of each type of document should still be maintained in the station.
- II-3-5.** The Berwick Fire Department should form a committee to perform a review and update of the department's Rules and Regulations, and revise it into a stand-alone document. This document, which could be further enhanced as suggested below, should then be submitted for approval by the board of selectmen, and then be distributed to, and signed for, by each member of the department. It could then provide an orientation overview and indoctrination to the department's behavioral expectations for new personnel. A number of excellent rules and regulations documents exist and can be used as the basis for the Berwick document. MRI can provide a sample that can be used as a guide/template, if so requested.

Some suggested sections for the Rules and Regulations could include, but are by no means limited to:

- A Preamble
- The Department's Mission Statement
- Objectives of the Department
- Purpose of the Rules and Regulations
- Organization
- Membership requirements
- General Rules of Conduct
- Officer Qualifications and Selection (may just reference current department procedure and/or civil service regulations)
- Officer Duties and Responsibilities (may just reference current department procedure)
- Training (may just reference current department procedure)
- Apparatus, Equipment and Protective Clothing (may just reference current department procedure)
- Uniforms and Grooming
- Discipline

- Conflicts Between Department Documents (state statutes, town policy, Rules and Regulations, Operational Procedures, General Orders)
 - Other areas that may be agreed upon for inclusion
- II-3-6.** The department's Respiratory Protection Plan/Policy, Infection Control Plan, and the town's Emergency Action Plan should be separated out into their own individual manuals, with the SOG manual containing guidelines necessary to implement and/or comply with the statute, regulation, policy, or plan.
- II-3-7.** State statutes and/or regulations that are applicable to fire departments and the town's personnel policies which are (or should be) applicable to all town employees, including all fire department personnel, should be compiled into their own manuals which should be made available in the station (or on line).
- II-3-8.** The Town of Berwick and the Berwick Fire Department should conduct initial and ongoing/periodic training, as necessary and/or appropriate, on all applicable statutes/regulations, policies, and SOGs for all personnel.
- II-3-9.** The Town of Berwick should revise their personnel policies regarding the hiring of new public safety employees (both full-time and part-time/on call) to mandate, at a minimum:
- Possession of a valid driver's license (all personnel should have their driver's licenses checked on an annual basis)
 - State and federal criminal background check including fingerprinting
 - Drug testing
 - Credit, employment, and reference checks
- II-3-10.** The Town of Berwick and the Berwick Fire Department must make a formal determination where the "official" personnel file for each call firefighter will be located. A policy should then be developed that spells this out. The policy should also identify how files for former members are maintained. If the "official" file is maintained in the town manager's office at town hall, it would make sense, for convenience sake, for a duplicate file to be maintained in the fire chief's office at the fire department.
- II-3-11.** The Town should seek advice from its legal counsel regarding the applicability of the current nepotism policy to 1) part-time rather than full-time employees, and 2) to employees other than blood relatives of members of the board of selectmen and town manager.

SECTION II

CHAPTER 4

PERCEPTIONS OF THE DEPARTMENT

OVERVIEW

An important factor in any fire department analysis that MRI conducts is determining how the department that we are studying is perceived and viewed within the community, and to some extent the region, that it serves. It is also important for us to try to determine what the community's expectations are with regards to the types and levels of service that the department provides to its customers, primarily the taxpaying citizens of the community. Every town and fire department has a number of different stakeholders, both internal and external, whose opinions, perceptions, and input, are important for us to know as we try to develop recommendations that are most applicable to that community's specific circumstances.

During our analysis of the Berwick Fire Department we interviewed the members of the board of selectmen, who in essence serve as the board of directors for the town and the department. We also interviewed the then interim town manager, as well as two previous ones, numerous members of the community, members of the police department, and members of the fire department (these interviews and a related survey are discussed in detail in Section II, Chapter 5, *Personnel Attitudes and Issues*). We also held a public meeting to solicit input from the department's stakeholders/ customers, the citizens and taxpayers of the town. Finally, we interviewed the fire chiefs of several surrounding communities.

OBSERVATIONS

BOARD OF SELECTMEN

The majority of the current board of selectmen was relatively new at the time this assessment was being conducted. While two members have served for lengthy periods of time, three of the five members were first elected in early 2012 after a recall election resulted in the defeats of three sitting members of the board. Several of the newly elected members of the board are also relatively new residents of the community who have chosen to take an active leadership role in their new hometown.

Our interviews with the members of the board of selectmen indicated that a majority of the members of the board are looking for an objective report that provides an unvarnished assessment of the fire department and that makes recommendations for the future. Several members stated they were reserving judgment on the fire department and its issues until they had received the final report. Several members

even expressed some reservations at speaking to the MRI study team for fear of influencing our objectivity. All did ultimately speak to us after being assured that their input and perspective was critically important to the finished product.

The interviews with the members of the board indicated that the board, not unlike the town itself, is deeply divided over the fire department. Opinions of the department by board members ranged from strong support for what they perceive is a great asset to the town, to those who really are not sure and are awaiting this assessment to form an educated opinion, to those who are very critical of the department and its leadership. One area they all seemed to agree on was that there are relatively small, but passionate, groups on each side of the issue (supporters and critics of the department), while the vast majority of the town's residents are probably neutral or unaware of the issues.

As with most communities, Berwick is struggling with the realities of a strained budget. In an attempt to balance the budget and perhaps lower taxes, the new board sought 10% (some members wanted 20%) across the board cuts from all departments. They ultimately settled on 6% with the police department taking 3%. These decisions reignited fierce debate within the community regarding priorities, favoritism, and agendas. It was reported that the fire department vehemently opposed any cuts to their budget. It was also alleged that members of the fire department harassed one or more members of the board over their decisions.

Some board members expressed concern that any opposition to the fire department seems to precipitate attempts at intimidation by members of the department. Conversely, some board members expressed a belief that some of the department's most vocal critics are pursuing personal and/or hidden agendas that could impact public safety throughout the town.

One of the most commonly asked questions by board members is whether the Berwick Fire Department is the proper size to protect the community. Board members understand that budgetary comparisons with other towns can be very tricky and fraught with peril as various neighboring communities structure their budgets very differently, so it is difficult to get an accurate comparison without an in-depth financial analysis.

Other common concerns from the board include:

- Is the department adequately staffed and is the current staffing model and shift schedule the correct one, or are their alternatives?
- Does the department respond as they are supposed to, particularly nights and weekends, and do they respond in a timely manner? Do they track the times when they don't respond, requiring other communities to handle the call, and are they doing anything to address these issues?

- Are they keeping up-to-date with their training and are they capable of doing the job?
- What can be done to revitalize the dwindling call force?

Some members of the board also felt that the fire department has not done a good job of marketing, or selling itself to the town. They also acknowledge that many of the issues facing the department are not unique to Berwick.

The MRI study team is concerned that some issues that were identified to us by members of the board as being factual, were not true at all. In order to be truly objective regarding these issues, we must dispel these inaccuracies.

1. **Myth:** The fire chief solely negotiated the contract with American Medical Response (AMR) and has negotiated the periodic contract renewals without either town manager and/or board of selectman authorization and/or approval.

Fact: When the initial contract with AMR was negotiated in 2001, the town meeting authorized the board of selectmen to provide an EMS service. A contract was negotiated by the town manager with, as would be appropriate, input from the fire chief. The board of selectmen then approved the contract in October 2001. An extension of the contract was approved in May 2004, followed by another extension in 2007, that was signed by the town manager.

For the most recent extension of the contract, the town manager initiated same with an e-mail to the board of selectmen in June 2010. A handwritten note indicates that the extension was approved by the board of selectmen and the contract was signed by the town manager the same month.

2. **Myth:** The fire department evolved from providing just fire services to fire/rescue/EMS unilaterally and without authorization of the board of selectmen.

Fact: This assertion is partially true. While it is correct that expansion of the services the fire department provides did occur without the explicit approval of the board of selectmen, the decision was not made unilaterally by the fire department or fire chief as has been suggested. A former town manager informed the study team that he and the fire chief had a number of discussions regarding the fire department starting to provide this service. After the fire department provided information to him regarding the expected benefits to the residents of Berwick, especially considering that AMR normally responds from Somersworth, he authorized the

department to do so, although not in writing. Although he believes that he informed the board of selectmen regarding this enhancement of service, he could not say so with absolute certainty. However, the fire chief did get approval from his immediate supervisor, the town manager, to implement the provision of these services.

It should be noted that this service, which is discussed in more detail in Section I, Chapter 2, *EMS Operations*, results in only minimally increased costs for the department. Several members of the board of selectmen also support it.

3. **Myth:** The fire department and the fire chief have refused to keep fire department personnel files at town hall where all others, including the police department's, are kept. The files are kept in the chief's office.

Fact: While it is true that the personnel files of the fire department's call personnel are currently kept at the fire department, there is a personnel file for each career member in the town manager's office, the same as every other full-time employee. The fire chief informed the study team that no one had ever asked him to move the call firefighter's files to town hall, but he would be happy to. Again, this fact was confirmed by the former town manager who informed us that he had never wanted the call firefighter's files, as the town still considered them more volunteers than employees. As noted in Section II, Chapter 3, *Policies and Procedures; Rules and Regulations* we recommend these files be relocated to the town manager's office.

Note: Relocation of these files has been completed.

4. **Myth:** The Berwick fire officers took it upon themselves to respond to Somersworth and take command of their fires prior to the recent appointment of a new permanent fire chief there.

Fact: Prior to the recent appointment of a new permanent chief in Somersworth, the interim fire chief lived a considerable distance from the city. In light of their close proximity to the city, their reputation for being good fireground officers, and the fact that Berwick provides early automatic and/or mutual aid to Somersworth, the then interim chief asked the Berwick officers to keep an ear open and respond to Somersworth to help out if it sounded like a significant incident was developing. While he informed the team that the Berwick officers probably did this sooner, and more frequently than he had envisioned, they certainly did not do so without any type of request being made. As frequently occurs in the fire service, this request was made verbally, rather than in writing.

Despite some of their differences in perspective and views of the department, the members of the board were unanimous in their belief that once this report has been issued, that the town must find a way to put those issues behind them and move forward. They believe that it is imperative that the various factions in town sit down, have an open dialogue, and attempt to find common ground. As one longtime member of the board noted, they have never seen the divisiveness in town that seems to exist today. The members all agreed they must try to find a way to close those divides and better unite the town.

TOWN MANAGER(S)

The interim town manager, who had been in place since early Fall 2012, provided the study team with some perspectives regarding the board of selectmen recall election and the background issues that provided the catalyst. Since that time the town administration had been in transition as six senior level personnel, including the town manager, town clerk, and finance officer, had resigned. At the time of this assessment, a search was on for a new permanent town manager, and one was appointed as this report was being finalized.

Based on his brief tenure with the town, the interim manager saw three issues that seemed to be common threads regarding discussions about the fire department: first, the budget, which is seen by some as way too high for a community of Berwick's size; second, the long-standing feuds and disagreements within the town; and finally, the close family connections in all of the Berwick Fire Department's highest-ranking positions are an area of major concern.

The study team also spoke to the two former town managers that provided the study team with additional perspective. One manager served the town from 1996 until 2004, and then returned in an interim capacity for several months starting in July 2012. This manager informed the study team that during his permanent tenure in the town things were very good despite the fact that the town's largest employer, Prime Tanning was closing. He stated that at that time he felt the fire department was well run and he never detected any improprieties. He recalled that the fire chief always requested permission to do anything major. The fire department also seemed to enjoy widespread support.

When he returned to the town in an interim capacity, he stated that things were much different. The town was still in an uproar over the recall election and town operations seemed to be very disorganized, probably due to the recent resignations of six senior town officials. He did meet with both the police and fire departments, and both of their operations seemed to still be fine. He had no idea why the fire department had fallen out of favor or how deep the discontent was.

The second former town manager served the town from 2004 until July 2012, when he resigned. He has subsequently accepted a similar position in New Hampshire. He informed the study team that he always had excellent interactions with the fire

department and felt that it was a very professionally run department. He said that the chief always kept him informed of what was happening in the fire department and that they generally spoke either in person, or by phone, on a daily basis. He still believes that most people in town support the department and those that do not are a vocal minority. Many of the rumors that travel around town are not based upon factual information, yet they become the reality that people believe.

He informed the team that the awarding of the SAFER grant to hire the career firefighters was one of the major issues that has divided the town, particularly the belief by some that the application was not factual. He stated that he verified that everything contained in the grant was factual and correct, and that the town had approved it. The major, non-personnel related issue facing the fire department today is their facility/station. (The summer 2012 interim manager was able to get roof issues resolved and was turning his attention to an overall review of the station.)

This manager said he believes a lot of the issues relative to the discord in town were related to the proposed public safety building project a number of years earlier. During that process, it seemed that everyone wanted his or her own way. There was a lack of willingness to compromise. Once the initiative fell apart, everyone wanted to blame the other side for the failure. He stated that he subsequently met with both public safety chiefs and told them to get control of their personnel. Unfortunately, the message did not resonate in either department.

He also informed us that he did have some very basic and conceptual conversations with the South Berwick town manager regarding regionalization of the fire departments. Included in those discussions were fire station locations and apparatus purchases.

All three of the town managers were unanimous in their belief that the fire chief runs the fire department well and for the most part, provides good leadership.

POLICE DEPARTMENT

The MRI Study team interviewed several members of the Berwick Police Department, at their request. The general consensus was that the two departments used to work very well together, but now they basically just function independent of each other. There is a concern that this situation is resulting in less than optimal service. The police members relayed several incidents to the study team where they felt that the fire department acted unprofessionally, or there was an "issue" between police and fire personnel. There were also several other issues that occurred subsequent to our field visit and interviews, but prior to the completion of this report. These incidents were forwarded to the town manager for investigation.

Most of these members traced many of the problems back approximately 6 or 7 years ago when there were discussions on a joint police/fire public safety building. During this

same era, the assistant fire chief and a part-time police officer were both members of the board of selectmen, a practice the board subsequently prohibited. However, it was reported that because of the lack of clarity from the town regarding employment status of the on call firefighters, that the assistant chief voted for fire department issues, claiming he was not an employee. Conversely, the part-time police officer could not vote on police issues because he was an employee. The police leadership also harbored resentment that the assistant chief, while on the board of selectmen, pushed hard to have an analysis done of the police department. Aggravating this situation even further, was the fact that the police chief was in the hospital in a coma at the time.

Once the public safety building project ended in failure relationships really deteriorated. There was a lot of finger pointing and recriminations back and forth. This situation escalated farther once the police department received authorization to refurbish and then occupy the facility they now use

Other concerns that were expressed by the senior police leadership include the fire department unilaterally starting to respond to EMS calls. Traditionally, the police department served as a first responder to these types of calls. Once the career firefighters were hired, all of a sudden, the fire department was responding also, but off hours their response is very unreliable.

Several other members of the police department who spoke to the study team were more balanced in their assessments. They feel that many of the issues between the two departments are the result of a power struggle between the leaders of the two departments and are confined primarily to the upper ranks. They believe that the street level police officer and firefighters, for the most part, work well together and that most of the firefighters are good people who are there for the right reasons. They also believe that the previous town manager could have, and should have, dealt with the issues more directly and forcefully, but chose not to.

These same members commended the fire department on their professionalism when conducting CPR and fire extinguisher training. They also believe the fire department is well trained, well equipped, and very capable.

BERWICK COMMUNITY

During our field visit to Berwick, the study team conducted an open public meeting for members of the town to come and share their perspectives. This meeting was attended by approximately 15 different people at various times. There were, however, some complaints that the meeting was not well advertised so people were not aware of it. However, we do know that it was prominently posted on the town's website for a week or more prior to its scheduled date. Subsequent to that meeting, members of the study team interviewed more than 30 other members of the community who offered their input and perspectives. For a community of fewer than 7,500 people, the level of interest and involvement that we observed is extremely unusual, yet it also clearly illustrates how divisive and polarizing the fire department is to the town at the present time.

As with every other aspect of this assessment, the community input and perspectives fell generally into one of two polar opposite categories, those who support the fire department and those who are concerned about and critics of it. While we could fill many pages with words if we listed every issue that was brought to our attention in detail, our purpose in this chapter is to present broadly categorized issues and concerns. Some issues that we have particular concerns about will be discussed in additional detail in Section II, Chapter 6, *Accountability and Professionalism*.

The residents who were present at the public meeting were tilted heavily in support of the fire department. The study team was informed afterwards that was probably because some residents were afraid to come out and speak publicly. The private interviews conducted, either in person or by telephone, tended to be more critical of the fire department and its leadership.

Those who are supporters of the fire department believe that the department is a very professional department and illustrates the best of long standing family traditions in small New England towns. One resident stated, "Berwick has the finest volunteer fire department in the State of Maine". These people are firm in their beliefs that the fire department responds quickly and is capable of handling any emergency that confronts it. They point out that any struggles that the fire department has with getting enough personnel to respond can be traced back to the closing of Prime Tanning. These people almost universally believe that the department being awarded a SAFER grant and hiring full-time firefighters was a positive for the town and provides an additional sense of security. They cannot understand why other residents question the fire department's budget, yet do not question the police department's, which is twice as large.

Most, although not all of the department's supporters believe the current fire chief is doing a good job, is an excellent leader, and in many ways, is the glue that holds the department together. They point to the department's excellent equipment and apparatus and the recent success at obtaining grants. A few, however, believe that the chief and the assistant chief have become a distraction, and that as a result, the issue

now has become more about them than the overall good of the fire department. These people believe that if these officers really cared, as much about the department as they claim, they would step down and let the department move forward.

Many of those who support the fire department trace the root of the department's current issues to when the fire chief served as the town's code officer and held people in compliance with codes and regulations. He later also served for a short time as the town manager, which was opposed by a lot of residents. A number of years later, the public safety building became an issue that created animosity and divided many residents of the town into two separate camps. From there things have gotten progressively worse, fueled in large part by a lot of rumors and innuendo.

As we have also heard from the fire department's internal stakeholders, the firefighters, the department's supporters do not believe that the fire department has done a good job of selling or marketing itself. They also believe that the department has not responded effectively, or aggressively enough, against its critics. An example that was cited relative to the contentious SAFER grant issue is the belief that the long-term costs of the full-time firefighters, after the grant expired, were well explained at the time. They also point out the state attorney general's office investigated the SAFER grant application and found no evidence of wrongdoing.

Those residents of the town who are critical of the fire department and its leadership are just as passionate in their beliefs that major change is needed in the department and its senior ranks. They describe a department that is not held to the same standards as other town departments, one where transparency is non-existent. The critics informed the study team that requests for information, statistics, etc. are routinely ignored or rejected. They maintain that even a simple request, like attempting to get an accurate count of how many members the fire department actually has, is met with resistance and a run around.

Like their neighbors who support the department, those who do not, point to the failed public safety complex as one of the major causes for the current issues surrounding the department. They state that during the debate over the public safety complex, the fire department's senior officers felt that anyone who even remotely questioned the complex, or its nine million dollar price tag, was opposed, and their dissent needed to be neutralized. A high-pressure campaign to garner additional support is perceived to have disintegrated into intimidation and harassment after the project was scuttled.

What is perceived as the department's lack of professionalism and strong-armed tactics carries over to board of selectmen and town meeting. Critics who were interviewed relayed a number of stories to the team regarding fire department personnel crowding in and ringing the board of selectmen meeting room,

They also mentioned statements made by members of the department, both in public and on social media

sites to the effect, "I don't have to help anyone I don't want to" and "We can chose who we want to help".

They claim that dissent is not permitted and those that do face consequences. There is a very real belief by these residents, whether accurate or not, that the fire department will not respond if they call them for assistance. This fear has been perpetuated by multiple reports of residents being told something to the effect of, "you better hope you never have a fire because we are not going to come". Other residents do not believe that the department will blatantly not respond, but will be slower than normal doing so.

There is also a wide spread perception among the department's critics that the hiring of the career firefighters through the SAFER grant was just the start of a concerted effort to eliminate the volunteer/call fire department and replace it with a fully career one. They believe that the department's public relations are very poor, and recruitment efforts are limited to non-existent. They believe that many potential applicants are discouraged from joining the department because they will not be loyal to the "family" that is in charge. It is their belief that a change in fire department leadership would result in an influx of new call firefighter applicants to bolster the department's ranks.

One area where everyone agrees on is that things cannot remain as they are today; something needs to be done! However, the agreement pretty much ends there. While some members on both sides expressed a need for the sides to sit down and settle their differences, the tenor of most of those interviewed seemed to indicate that an acceptable compromise or settlement meant surrender by the other side. We are concerned that both the department's supporters and their critics are so dug into their respective positions and blind to any other possibility, that putting the issues behind them and moving forward may not be possible. This situation will not be good for either the town or the fire department.

NEIGHBORING FIRE CHIEFS

The fire chiefs from the surrounding communities of Somersworth, North Berwick, South Berwick, Dover, and Rochester were unanimous in their very positive impression of the Berwick Fire Department. They stated that since they are all struggling with minimal staffing, they rely on automatic and mutual aid on a daily basis, and as a result, all of the area departments operate very well together. They stated that when called to assist, Berwick responds quickly and can be relied upon to perform any assignment that is given to it on the emergency scene. They feel that Berwick's fire chief is a good chief and does well leading his department. They perceived that morale in the Berwick Fire Department seemed to have improved somewhat over the previous six months to a year.

Most of the out of town assignments that Berwick responds on are specifically by request. However, they do respond automatically to certain buildings in North Berwick and provide them with a ladder truck since North Berwick does not have one of their own. The North Berwick chief stated that Berwick never fails to respond and they have a great working relationship.

South Berwick's station is very close to the Berwick town line so the two departments respond together, automatically, in the southern end of Berwick. Berwick also responds on the second alarm to fires in downtown South Berwick. Their chief stated there is a great working relationship between the two departments.

Dover, New Hampshire, uses Berwick both for station coverage and/or to assist on the emergency scene depending upon the type of incident and the location. Their chief informed the study team that Berwick has improved considerably over the past several years and is now a very professional department. They have a lot of members who really want to work and they work safety. He stated that Berwick has strict accountability and they do a really good job when called. The chief also noted that Dover is a fully career, unionized department, yet there is great interaction between the Dover and Berwick firefighters.

All of the chiefs reported that Berwick invites their personnel to attend various training classes that they offer/sponsor. Recent offerings include intermediate IMS-300 and advanced IMS-400 classes. The Seacoast Fire Officers Mutual Aid District has established an Incident Management Assistance Team (IMAT) that is available to any fire department, member or non-member, for dealing with major and/or complex incidents.

RECOMMENDATIONS

There are no recommendations associated with this Chapter.