



ROTTERDAM FIRE DISTRICT No. 7

Town of Rotterdam

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April 2011- First quarter 2011 Commissioner Newsletter.

The Fire Company

On January 12, 2011 the Fire Company and Auxiliary held their installation dinner. Firematic officers, Company officers, and Auxiliary officers took their oath of office for the year 2011. The oath of office was given by invited guests, Congressman Paul Tonko, Representative George Amedore, and Supervisor Francis DelGallo. Over 80 people were in attendance.

The Auxiliary

The Schonowe Auxiliary will be holding a Deep Fried Haddock Fish dinner on April 1 and 15th. All are welcome.

The Fire District

The Board was able to find a resident to fill the position on an appointed basis for the year 2011 that remained open after the election held on December 14, 2010. Please consider submitting your application for the position of Commissioner in October 2011 for either of the two positions that will be available.

The age of our kitchen cooking equipment became abundantly clear when a blow back of gas occurred when lighting the stove. This equipment is a 1946 vintage stove used for district functions, and by members of community. An inspection by the Rotterdam Town Building Inspector was requested by a fire fighter who has used the equipment. The Board of Commissioners received a strong safety concern about using this equipment. The comments of the building inspector and stated safety concern by a volunteer have resulted in the Board of Commissioners shutting down of the kitchen facilities until proper repairs have been completed. The stove and ovens are classified as a commercial installation. Because of this classification the Board will be required to meet present day building and fire codes when replacing the equipment. To meet these requirements the Board will hire consultants to design a code compliant installation. This process has been started.

On June 30, 2009 the District had a PESH[†] inspection conducted by the New York State Department of Labor (NYSDOL) for conditions of safety within the fire house. The PESH inspection was initiated by a written complaint made on June 10, 2009 to the NYSDOL. The PESH inspection resulted in 1 non-serious violation and 1 serious violation. The serious violation required immediate addressing by the District. On August 21, 2009 the former District Chairman applied to the NYSDOL for a permanent variance (P-001-09) requesting that the District be allowed to mitigate the non-serious violation by placing safety signs and warnings in the area of concern based on the fact the condition has existed for many years with out any reported accidents.

On January 07, 2011 the Board was notified that on March 14, 2011 a hearing would be held at the NYSDOL office in Albany on this application for a variance. Chairman Paul Bahrmann and Commissioner Michael Bogusky attended this hearing held under the direction of John W. Scott Hearing Officer from the Administrative Adjudication Office of the NYSDOL. After many months of investigation of this variance application recommendations were presented by Stikanth Maddineni, Senior Safety & Health Engineer for the NYSDOL.

It is the understanding of the Rotterdam Fire District representative at this meeting that these recommendations will be adopted by the hearing officer as the requirements the Fire District will have to follow and implement in order to mitigate the safety issues. A time period of one year was noted as sufficient time to implement the recommendations. District representatives were told a final report of the hearing will be issued hopefully within one month of the hearing date.

The recommendations provided at the hearing on the request for a permanent variance were:

- No other personnel shall be allowed in the affected area except the Fire Fighters.
- All the affected employees shall be notified of the hazard and shall be trained by the employer/Fire District. The training program shall be approved by the NYSDOL.
- The affected area shall have proper lighting at all times.
- Caution signs shall be posted.
- Provide another means of egress as applicable by the New York State Fire Code and the Building code. This means of egress shall be approved by the New York State Department of Labor.

The recommendations made by the NYSDOL made it impossible for the District to continue letting the residents of the Fire District use the Hall. Any community assistance that requires access to the fire hall area, including the volunteers hosting of any fire training programs requiring hall access will not be permitted. The Board of Commissioners considers this issue very serious. We have raised to a top priority just what is the best approach to address these facility issues and what is the best use of tax dollars to provide a facility that will meet the needs of the District, and the requirements of the NYSDOL. When the Board has the information on approaches to resolving these issues a public hearing with resident of the District will be held and the Boards recommendations will be presented.

Sincerely the Board of Fire Commissioners.

† The Public Employee Safety and Health Bureau (PESH) was created in 1980 under the [PESH Act](#) to provide occupational safety and health protection to all public sector employees at the state and local level. PESH enforces all safety and health standards promulgated under the United States Occupational Safety and Health Act ([OSHA](#)). Public sector employers include State, County, Town, Village governments, Public Authorities, School Districts, Paid and Volunteer Fire Departments. PESH responds to fatalities or multiple hospitalizations of public employees, complaints from public employees or their representatives, and also conducts programmed inspections of public employer work sites, and provides technical assistance during times of a statewide emergency.