Firefighter Jim Jones: So, I come before you tonight as you may know as a 17-year member of this department, three of which I was an officer. A career, captain in another department, and I also work for the state as a state fire instructor. Setting all that aside, I am a concerned resident of your district.

Exactly 1 year ago, on December 19, 2021 I submitted written notice to this board regarding numerous safety violations I observed during a live burn drill on November 17 last year, I know it's hard to imagine a more serious accusation than that the chief of our fire department willfully putting our members in grave danger, but that's exactly what I detailed in my complaint. A year later, I am troubled to say that I have never been contacted to provide information regarding testimony to this complaint. In fact I never received any communication from anyone involved in this investigation regarding your resolution. Considering this, I believe that I have the right to ask some question and make a statement to this board. So, my first question is, why is that? Why have I not been contacted or replied to in any way?

Commissioner Beth Larson: We passed some corrections-

Commissioner Wendi Gapczynski: A letter had been drawn up, based on a past commissioner not being here, we had addressed the situation.

Commissioner Beth Larson: We though it had been taken care of, and the other commissioner resigned, and did not send it and did not let us know that it was not taken care of.

Firefighter Jim Jones: I'm glad you mentioned that because I spoke with that former commissioner just to clarify that point. He said while he would have been tasked to send me that latter, that there was disagreement on the body of that letter, and that it never went out; that it would have been impossible for any one member of this board to send a communication out without it being sent through the board and cleared before it was released. So, to insinuate that you didn't know that this letter never went out is probably false. Fair to say?

Commissioner Wendi Gapczynski: No.

Commissioner Ross Thornhill: I'm would not say it's fair to say. Also, other commissioners, just recognize that we are here to hear the member, we recognize you want answers here, that's not something we can necessarily provide or may want to consult an attorney before we do reply, I recognize your stance, but as the publicly elected officials responding to you, we certainly don't want to put ourselves in a position where we may misspeak.

Firefighter Jim Jones: Ok, Andy Pohl came here last month and spoke of an incident that happened at last months drill. Staffing concerns, or employee concerns I guess you'd call it, as well as the events that transpired over the last year. You answered ever one of his questions, you took every one of those discussion topics, so to sit here in silence tonight and not answer my questions is probably inappropriate, and it's going to be on record.

Commissioner Wendi Gapczynski: Noted.

Firefighter Jim Jones: Noted. Yeah, I love that word too. So where is this letter that I supposed to have gotten? So, you guys knew a month and a half ago, I made you aware that I didn't get it, I still don't have it? Awesome. Is your investigation closed?

Commissioner Wendi Gapczynski: The matter is closed.

Firefighter Jim Jones: The matter is closed, ok. Was Chief Schimikowski interviewed as part of your investigation?

Commissioner Wendi Gapczynski: That is not something that we are going to discuss with you.

Firefighter Jim Jones: (To Commissioner Gapczynski) Were you investigated as part of this investigation?

Commissioner Wendi Gapczynski: Again, that's not something I'm going to discuss with you.

Firefighter Jim Jones: Ok. (To Commissioner Thornhill) Were you investigated as part of this investigation? Just reply yes or no

Commissioner Ross Thornhill: I am not going to reply

Firefighter Jim Jones: We'll let's say you're not going to reply. Was anyone else who was at that drill investigated as part of your investigation.

Commissioner Wendi Gapczynski: Again, we are not going to discuss this with you.

Firefighter Jim Jones: Was anyone outside of this department consulted as part of this investigation? Has nothing to do with members here.

Commissioner Wendi Gapczynski: We are not going to discuss this with you.

Firefighter Jim Jones: Anyone from the state perhaps? Legal counsel?

Commissioner Wendi Gapczynski: We are not going to discuss this matter with you.

Firefighter Jim Jones: So, I know the answers to these questions, ok, so your silence is inappropriate. Are there any records of any of these interviews?

Commissioner Wendi Gapczynski: The same answer.

Firefighter Jim Jones: What was the outcome of your investigation? I'm a member, I have a fair right to know.

Commissioner Wendi Gapczynski: It's in the minutes, read it. It was in the minutes; it was sent out for public knowledge.

Firefighter Jim Jones: Ok who attended the NPFA 1403 class that was held at Alplaus in April?

Commissioner Wendi Gapczynski: Move on. We don't need to discuss this with you.

Firefighter Jim Jones: Don't tell me to move on, you can say that you're not going to reply. You can say yes or no, but don't sit there with you condescending attitude and just tell me to move on.

Commissioner Wendi Gapczynski: You have 5 minutes.

Commissioner Jim Jones: I don't think so.

Commissioner Ross Thornhill: You're at a public meeting, the chair actually has the right to limit the time.

Firefighter Jim Jones: Lets go over the policy a little bit, who was that created for? That's for the membership, right? So, you're saying that policy that were now going to adopt 1403 with the intent of

your policy to be a practice going forward, because we already had to comply with 1403. We have a book of SOGs in the radio room, and it's right in chapter 6 here, that all live fire training evolutions shall be conducted in accordance with NFPA 1403, so we already had a rule in the book, you didn't follow it. So, your policy is a little bit redundant, but on top of that, and I mentioned this in my letter that our compliance with 1403 has been mandatory since its inception, and I know that I've heard that it's not a law, and I'll get to that, but we've always had to follow 1403.

This is the slide that you guys saw in your class, all live fire training shall be conducted in compliance with the current condition of the standard, that was in your class.

So, considering all that you learned, what were the faults found in the way that last year's drill was conducted? And I already know that you're not going to answer, so I'm just going to read some of the things off that were in my letter. No adequate number of qualified instructors, not enough members present to staff all the required positions, no rapid intervention team, no one outside overseeing the drill, no safety officer, no personnel available to man the safety line while you guys were inside tending an igniting the fire, no known documentation for this drill, no one to operate the second engine and endure a redundant water supply, you tried to do a drill with 5 members after I walked off, not counting you two that were in the burn room. By any definition, any one of these is a serious safety violation, any one of those violations would get me fired as a state fire instructor, that rises to the level of grossly negligent behavior, it involves reckless disregard or extreme indifference for another's safety as purposeful behavior can cause significant issues with the continued safety of other people, this type of conduct is highly likely to cause harm.

This is the live burn drill for to 2020 former chief Boisclair and then lieutenant Mike Meier were tasked to provide this, do you recognize that? That's a 26-page document that is recommended in 1403, knowing that we practice tight records retention in the department, the files are right down the hall, I challenge you to produce this document for drill last year. You can't do it because anything would be a fabrication.

There is no other drill activity we perform that requires a document such as that, it becomes part of the legal record for that day's activities. If a member were to be injured or killed the first thing all the lawyers and investigating agencies require us to produce would be that document. Next would be the qualifications and training records for all personnel involved, including the commissioners that attended the 1403 course, and approved the drill. Without that document, required planning, and the legal documentation did not happen. You've already stated that you don't require a pre-burn plan from an outside vendor even though you've already seen the example that there are instructors that will come onto this property and choose to violate 1403. After discussion at last months debacle, and the chief's continuous pushing of a lie that this was all compliant practice, this board went on record and stated that no action is needed to not even to attempt to address this persistent threat to our members safety is reprehensible.

Commissioner Wendi Gapczynski: You have one minute.

Firefighter Jim Jones: Regarding this year's drills if you somehow that this organization relieved of its responsibility or shielded form litigation because an outside vendor conducted a training, I strongly suggest you speak with the Alplaus Fire Department about this very scenario. Because 3 years ago, they had a student get injured in the class they were hosting and is still in litigation. Do you agree that as a host to be a drill, meeting, an election, pancake breakfast, we retain responsibility to provide for the safety for those that come on this property? I do. You have 3 documented days of high-risk drills that he freely admits that he either directly committed serious safety violations or allowed those violations to continue. Clem Schimikowski has now demonstrated on several occasions that he is deliberately willing to set aside

not only accepted nations standards, but our existing SOGs and his sworn oath as a member of this department, this has never been ignorance of the law, but arrogance. You know what, he's now attended 1403 course several times, knows our SOGs, and his oath as a member, and a chief officer as well. It is my position as well as a growing number of members of this department, that Clem Schimikowski is not only unfit to hold any position of authority, but membership in this organization. The position you now take will speak volumes.

Commissioner Wendi Gapczynski: Your time is up.

Firefighter Jim Jones: Even in the last 2 years in this country, the trend continues that approximately 60-70 firefighters will die each year in the line of duty, and consistently several of those deaths will occur in live fire training. It's the most dangerous training we do, NFPA 1403 is a failure-driven document that continues to be revised because it is written in the blood of those firefighters that died each year, and all the fatality reports that I could find, almost without exception failed to follow the standard is cited as an incriminating factor. Aside from it being nationally accepted, there are liabilities tied to this particular standard, and you're right NFPA standard in of themselves do not carry the force of law, however 1403 has now entered case law, and may I remind you that the chief in charge of the Lairdsville incident cited in the class you attended was convicted of criminally negligent homicide, and for you to choose this standard, one that is among the most clearly defined and has the most dire consequences for noncompliance, as the one that you will not hold him accountable for is inexcusable. If you think that for any of this you will be able to hide behind that this is not a law, you should probably consult with your new council, because they will tell you the exact same thing I just did. You were told by him that month that people have different views of 1403 for example a single water supply is not uncommon, and I'll concede that there are instructors attempting to liberally interpret the live burn standard, when in reality that are acting in defiance of the necessary restrictions that 1403 brought to the fire service, and he has firmly embedded in the old school, unsafe, culture of no one can tell me what I can and can't do, but make no mistake, they are wrong. 1403 is exceedingly clear regarding planning, water supply, staffing, fuel packages, and documentation.

My fears that this negligent behavior has influenced our junior officers and up and coming members is already true, as the same non-compliant vendor has been booked to provide live fire training next fall. This supports any lack of communications regarding these incidents, your investigation, policy and most importantly your refusal to hold him accountable, that has allowed this standard for acceptable practices, regarding the most dangerous drill activity we perform, to fall to life threatening levels, when you don't condemn it, you condone it. We used to try and be good, and compliant East Glenville was the high standard, now were just trying to be lucky, and I still haven't heard a legitimate reason why. Life safety is the number one priority in the fire service, and I'll say it again, that directive applies to this board as well, you have squandered all opportunities to make this right, opportunities that the departments of those dead firefighters can now only wish they had. He's had 2 assistant chiefs resign under his command, which has ever happened before it is unprecedented, they're sitting in this room. And next year we can't fill all our chief positions or even half of the other officer positions, there no lieutenants by the way next year. There's a reason, and I hope those responsible for staffing of this department will finally be able to ask why that is,

Commissioner Wendi Gapczynski: Thank you Mr. Jones-

Firefighter Jim Jones: Because of this, it is fair to say that we will not be capable to conduct our own live burn training for years to come. We no longer invite other departments to train with us, and only he can answer why that is. Your policy is just a symbolic gesture, it is never going to be applied.

To those outside this room, some of who are sitting here tonight who have watched this transpire, over the last year, the optic is that this group has done everything in its power to make sure that none of this leaves these 4 walls, and the cover up started the day I walked off that drill. My wife had to come pick me up because I arrived on a fire truck, he came back and told the group that I just had somewhere to be. And for the rest of the day, he kept on sending members in. Truth be told I was willing to accept never hearing from the board regarding this matter, I was willing to live with the year-long smear campaign that was immediately launched against me if it meant that these reckless flagrant safety violations never happened again. So, imagine my dismay sitting before you tonight, this brings me no pleasure, why have you not held him accountable in any way, if you think all this is going to blow over, because he won't be chief next year, it won't. It would be naïve to think that next year even as a captain he won't hold great influence over those he was just in command of, as well as the rest of the department. Most of whom have no idea any of this is going on. So why would he be allowed to remain in a position of leadership, in fact why would he be allowed to remain in the building, he has broken our most sacred rules. I believe strongly that the members that participated in these drills he put in danger they have a right to know. The only way to undo the culture of noncompliance that has been allowed to fester in the department, is that you hold him accountable, and that the entire membership be told of these violations, the proceedings, and what you're going to do about it. If the board is unwilling to make these communications, I will. These people have a right know, you have a huge problem here, and I think you know that. Your loyalty is to someone who has risen to rank of chief is understandable, but it's undeserved. Life safety is the number one priority in the fire service. I can't imagine a more tragic, preventable event than a member being hurt or killed because their leaders didn't follow that directive. You have been given every reason and opportunity to address this problem, yet it still exists. Your legacy as members of this board were written here tonight. For a year I've been patient and silent, now I refuse to be either. if there isn't significant action on this, or members lives continue to be put in danger, the next letters written will not be to this board. So, my final question for you is, and I know your not going to answer, are you going to squander this last opportunity?

Commissioner Wendi Gapczynski: Thank you.