

COMMITTEE ON PUBLIC SAFETY & SECURITY MINUTES: February 22, 2010

PUBLIC SAFETY & SECURITY

COMMITTEE: Vito Pinto, Chair, John Nonna, William Burton, Peter Harckham, Judy Myers, William Ryan

In Attendance: CE: Katy Delgado DES: Tony Sutton, John Cullen CLERK: Ed Brady Jr BOL: Anne Reasoner, Larry Goldstein, Betsy DeSoye, Mindy Berard, Melanie Montalto Guests: Kurt Colucci, Tony Catalano, Bill Richardson, George Ulley, Bill Barnes, Larry DeSimone

MINUTES:

Chairman Pinto called the meeting to order at 9:08 a.m.

Chairman Pinto provided the Committee with an overview of the work the Committee did last session on fire extinguisher inspections and the need for licensed inspectors to prevent fraudulent and unsafe inspections which have been occurring.

Legislator Nonna stated the issues that came up with the draft law last year were the who the licensing authority would be, the standards to receive a license, reciprocity of licenses from other counties, and who would enforce the law and receive the fines.

Tony Sutton, Commissioner of the Department of Emergency Services, stated that he supports this concept, it is definitely needed after hearing the horror stories, but there are staffing and funding concerns and recommends looking at the makeup of the Fire Advisory Board. He stated that there would need to be an ID system in place that has a database which is up to date and available to many people.

Larry DeSimone, Fire Marshall from the Town of Greenburgh, stated that there are too many extinguishers in the jurisdiction for the Fire Department to inspect themselves, when there are over 200 extinguishers in a building, he is able to check the tags on several of them, but not all, to make sure they are up to date. He said it would be helpful to be able to see the tag with a license number on it and know that it is regulated by the County. He said a lot of times there is an address on the tag, but often it is a fake address and phone number and you end up chasing an absent company that inspected the extinguisher.

Chairman Pinto agreed with Commissioner Sutton that a Fire Advisory Board may be the right way to go, with five members and scattered term lengths, to look at regulations, training, and the test for the license.

Commissioner Sutton recommended involving the Department of Consumer Protection,

as they already know how to catch fraudulent businesses in other areas.

Legislator Burton asked if we could require that the business or person be licensed in Nassau, Suffolk or New York City and then have enough licensed inspectors without Westchester incurring the cost. Bill Barnes of State Fire and Safety stated that there is a nationally recognized agency that can come in and provide the training for inspections, give the exam, and issue the certificates for passage of the exam. He continued that there continuing education requirements, classes that need to be taken over the following three years. He stated that the test is 50-60 questions and you must understand fire codes and the industry. He said New York City and Nassau and Suffolk's tests have much less questions.

The Committee discussed the idea of reciprocity of licenses from other Counties. Members of the fire industry stated that Nassau, Suffolk, and New York City all come out to Westchester to inspect the shops and equipment.

The Committee discussed what type of violation to put in the law for inspectors without a license or for those abusing the license. It was agreed to look into making it a civil, criminal, or administrative violation.

Tony Catalano, Chief Fire Prevention, stated that Nassau, Suffolk and New York City, all have two licenses, one for limited use extinguishers, and one for automatic extinguishers. Legislator Nonna said we only have the copy of the portable license law for Nassau and need the other.

A discussion ensued regarding ensuring that an individual licensed is only licensed under the employer he works for and cannot go out and conduct inspections as a freelance job during his off hours, and that his license is revoked once he leaves the employ of the company.

Legislator Pinto stated that we need to get together with the County Attorney's office, Emergency Services, Consumer Protection, the County Clerk, and the County Executive's office, as well as members of the Legislation Committee to iron out the details of how the law would be implemented. Then we can decide if we need a subcommittee to work on this.

Moved by Legislator Nonna seconded by Legislator Myers the minutes of the February 1, 2010 meeting were approved with a vote 6-0.

With a motion by Legislator Myers seconded by Legislator Burton the Committee on Public Safety and Security adjourned with a vote of 6-0 at 10:07 a.m.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST