

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

In the Matter of Steven Fostek Jr., et al., First Level Fire Supervisor Various Jurisdictions

CSC Docket No. 2016-4544

Examination Appeals

ISSUED: OCT 2 5 2016

(RE)

Steven Fostek Jr. and Michael Green, Fire Lieutenant (PM0412U), Harrison; Brian Beach, Daniel Gonzalez, and William Johnson Jr., Fire Captain (PM0441U), Camden; and Stanley Kolbe Jr., Fire Captain (PM0462U), Pleasantville, appeal the correct responses to various questions on their respective promotional examinations. These appeals have been consolidated due to common issues presented by the appellants.

It is noted for the record that this two-part examination consists of a written multiple-choice portion and an oral portion. The written portion of the examination included eight scenarios, each with a description and various accompanying diagrams, and candidates were required to answer questions pertaining to each scenario. The appellants challenge the correct responses to questions 3, 8, 13, 22, 27, 29, 33, 34, 53, and 74.

Questions 1 through 13 pertain to the first scenario involving smoke and fire venting from the open windows on side A of a historic structure used as a bed and breakfast.

Question 3 asked for the best position for initial operations of the ladder truck once the crowds were under control, and the keyed response was option a, side A. The appellants argue for option c, side C. In support, they maintain that the test asked apparatus to stay off the grass or gravel, and side A has grass; the type of aerial truck must be considered as well as the length of lawn leading up to the 3½ story building; there is a hill on side A and parking lot on side C with clear access to

the roof. In reply, the scenario indicated that the candidate was the supervisor of the first arriving ladder company, and the engines will be arriving in a minute. As such, the candidate is the Incident Commander. The IC's command post is best located in the front, side A, which leaves room for the additional units on sides B and C. The street is in front of the lawn and the ladder truck can park there, off of the lawn. Side A is the best choice, and the keyed response will not be changed.

Question 8 asked where on Diagram 2 (p. 2, Booklet B) should the engine park in order for the mutual aid engine company in question 7 to achieve good suction while drafting. The keyed response was option a, Area A. The appellants argue for option d, Area D. In support, they state that the narrative indicated that they could not park on the grass or an unpaved area, and area A is unpaved; the bulkhead area will be free of tidal water and is closest to the water; and the diagram is unscaled and unclear. In reply, the diagram shows that area A is paved, and it is gray, the same color as the street and the parking lot behind the building. It is a boat ramp to the water. The unpaved areas are green or light brown. Thus, the directive to park on a paved surface is fulfilled, and there are no obstacles hindering access to the water in area A. It is noted that a scale is present on the diagram, and the same diagram is used for all four areas. The diagram shows that area D has trees and debris in the way. The trees are out in the water, and only by about 10 feet. Therefore, area D is not the best option. The keyed response is correct.

Question 13 indicated that it is reported that Side B has no damage. It asked candidates to complete the sentence, "You send an overhaul crew with a thermal imaging camera (TIC) to Side B and instruct them to check for extension in the ceilings by opening up view holes every..." and the keyed response was option c, 8 to 10 feet. The appellants selected option d, no holes are required. In support of this selection, they argue that the scenario indicated no smoke or visible fire damage on side B; page 195 of Fire Officer's Handbook of Tactics, 4th edition, by John Norman indicates that without undue discomfort, there is no need to open up; page 193 of Norman states that for justifiable openings, one should feel with the back of the hand first and use the thermal imaging camera to back up findings; page 431 of Norman states that you should make a hole every 8 to 10 feet (an argument for the key); and, page 634 of Fundamentals of Fire Fighter Skills (Skills), 3rd Edition, published by Jones and Bartlett Learning, states that you should not destroy any more property than necessary.

In reply, the appellants' references to page 193 of *Norman* states that firefighters must use their five senses to decide when making an opening is justifiable. Also, firefighters would not use the backs of their hands on ceilings. The scenario indicated that there were hung ceilings on each floor, and page 431 of *Norman* states that the TIC cannot see through multiple hung ceilings, so it is

essential to make holes with the hook first, and a hole should be made every 8 to 10 feet. The keyed response is the best response and will not be changed.

Questions 21 through 27 pertain to the third scenario involving smoke coming from a vent on side B, the hood vent on the roof, and the front door on side A of a three-story brick and wood taxpayer containing a pizza and grill restaurant and apartments.

Question 22 asked for orders to the primary and secondary lines, and the keyed response was option a, stretch a 1% inch primary attack line and a 2½ inch backup line through the door on Side A. Mr. Gonzalez selected option c, a 21/2 inch primary attack line and a 1% inch backup line through the door on Side A. In support, he states that pages 416, 420 and 428 of Norman indicate that a 21/2 inch primary attack line should be used on a type 3 taxpayer construction. In reply, page 420 of Norman refers to commercial fires with large floor areas, high ceilings, and a heavy fire loading per foot. The commercial use in this instance was a restaurant, not a store, and the fire was located along one wall in the kitchen, not the larger dining area. Page 416 does not address hoseline size in a taxpayer. Page 428 states that a 21/2 inch attack line should be used in a moderate fire in a groundfloor store in a taxpayer. Again, this was a smaller fire in a restaurant, not a store. Pages 52 and 428 of Norman instruct readers to have a second line at least as large as the first line, and to never backup a 21/2 inch initial line with a smaller one. This body of fire is not large yet, and the 1% inch line will allow for speed and penetration, while the 21/2 inch line will give the attack crew large volumes of water, if required. The keyed response is the best response.

Question 27 indicates that a fire fighter on the attack line asks if he should activate the hood suppression system manually. It asked candidates to complete the sentence, "You tell him..." and the keyed response was option c, yes; if the system is not automatically activated it should be manually activated. Mr. Johnson selected option d, no; system is broken and will be a waste of time and resources on scene. In support, he states that page 32 of *Norman* indicates that an out-of-service auxiliary appliance is justification of an extra alarm.

In reply, the scenario indicated that the restaurant has automatic sprinklers that can be fed through the Fire Department Connection (FDC) located on Side B, and the grill area of the kitchen also has a Class K, wet-chemical hood suppression system installed over the grill, which failed to activate. Page 32 of Norman states, "An out-of-service auxiliary appliance is often justification for an extra alarm, since the fire will have a great advantage while personnel struggle to do manually what the appliance failed to do. For example, a fire on the sixth floor of a building where the standpipe is inoperable will require all of the available members just to stretch the first handline up the staircase and into service." When activated, this device would reduce property damage and aid in fire suppression. The scenario did not

state that it was broken, only that it failed to activate. It is preferable to attempt to activate the hood suppression system manually before considering it unusable and reducing the advantage of the attack teams to extinguish the fire. The keyed response is the best response.

Questions 28 through 39 pertain to the fourth scenario involving smoke and fire at the window of the A/B corner of two-story residence.

Question 29 states that, upon arrival, the candidate determines that the fire is approaching flashover, and it asks what stage the fire is in. The keyed response was option c, free-burning or fully developed stage. The appellants selected option b, growth stage. In support, they argue that page 153 of *Skills* states that flashover is the final stage in the growth process; page 37 of *Norman* indicates that rooms that are approaching or have passed flashover are in the free-burning stage; *Skills* states that flashover is the transition from a growing fire and to a fully-developed fire; and *Skills* indicates that anything prior to a flashover is the growth stage.

In reply, page 153 of Skills starts the discussion of the fully-developed stage with a description of a flashover, and indicates that "flashover is the final stage in the process of fire growth." This sentence was not indicating that flashover is in the growth phase, but was the last stage in the process of fire growth. The question indicated that the fire is approaching flashover, and page 37 of Norman defines the free-burning stage as when the fire has increased in intensity and is approaching flashover or has passed it. Skills discusses the flashover in the fully-developed stage, but it does not state that it is the transition from the growth stage to the fully-developed stage. Rather, it describes flashover as the transition from a fire that is growing by igniting one type of fuel to a fire where all the exposed fuel in the room is on fire. That does not mean that the flashover is a transition from a growing fire into a fully-developed fire. Skills also states that a flashover is not a specific moment, and that a fire will not flashover without sufficient oxygen. It does not define the fully-developed stage as one in which a flashover has definitively occurred. It refers to the fully-developed phase as the point where temperatures increase so that the flammable materials in the room are undergoing pyrolysis,1 and large amounts of volatile gases are being released. It continues by saying that, if the temperatures continue to rise and there is sufficient oxygen, a flashover will occur. Skills states that the fire is fully-developed once a flashover occurs, but it does not state that the fire is not fully-developed until a flashover occurs. There is no discrepancy between the two texts, and the keyed response is correct.

Question 33 indicates that the candidate sends a crew to the second floor to check for extension, and it asks for the designation for the 2nd floor. The keyed response was option b, Division 2. Mr. Kolbe selected option c, and argues that the

¹ Pyrolysis is defined as the destructive distillation of organic compounds in an oxygen-free environment that converts the organic matter into gases, liquids and char.

question was misleading. He states that a specific assignment was given to a crew, while Division refers to a geographical location. He argues that page 126 of Fundamentals states that a group refers to companies or crews working on the same task or function, although not necessarily in the same location.

In reply, the question is clear. It indicated that the candidate sends a crew to the second floor to check for extension. The crew is singular. It is not a group of crews. Further, the question asks for the designation for the 2nd floor, not for the designation of the crew. The keyed response is correct.

Question 34 indicated that one of the fire fighters on the second floor reports that he found the cat in one of the uninvolved bedrooms before completing his primary search, and it asked for orders to the fire fighter. The keyed response was option b, leave the cat and complete his primary search. Mr. Kolbe argues for option c, rescue the cat and exit the building. In support, he argues that the scenario indicated that the only living thing not to make it out was the cat, so there was nothing else to search for.

In reply, the scenario indicated that the owner of the house states that the members of the family that he knows were home escaped the house, but they could not find the household cat. Thus, family members that the owner does not know are home, or other individuals may be in the house. A primary search is for humans, and human life takes precedence over all other concerns. Exiting the building can endanger any other people still in the building. The keyed response is the best response.

Questions 50 through 55 pertain to the sixth scenario where black smoke is pressing up against and seeping through the lower left windows on Side A of a colonial-style residence.

Question 53 indicates that the fire has been extinguished. The candidate orders a crew to the second floor to check for hotspots in the room above the den where the fire occurred. The crew utilizes a Halligan tool to pry off floor and window mouldings. This question asked which part of the Halligan tool is **BEST** used to perform this action, and the keyed response was option a, adz. Mr. Beach selected option b, fork or claw and argues that the fork or claw is used to remove nails and pry wood, such as wood trim, while the adz is used for prying open doors and windows. In reply, the adz end is used to pry wood trim, as evidenced on page 207 of Norman, where the adz end is seen in Figure 9-8 prying out the wood trim from the wall. The adz end provides greater leverage and a longer fulcrum than the fork or claw. As such, it is the best end to use to pry off floor and window mouldings. The keyed response will not be changed.

Questions 68 through 75 pertain to the eighth scenario involving smoke venting out of third-story windows on sides A and B of a three-story row house made of ordinary construction.

Question 74 indicates that the fire has progressed and has extended into the building's hallway. The question asks for the **BEST** option to access the roof in this scenario, and the keyed response was option a, use a ground ladder on Side C. Mr. Beach argues for option b, an aerial ladder on Side A, stating that the aerial device is the most preferred way of reaching most roofs. In reply, option b is not the best response as there are a lot of overhead wires on side A, as evidenced in diagram 1, and the aerial ladder should not be used among overhead wires. The keyed response is the best option.

CONCLUSION

A thorough review of appellants' submissions and the test materials reveals that the appellants' examination scores are amply supported by the record, and the appellants have failed to meet their burden of proof in this matter.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISION ON THE 19th DAY OF OCTOBER, 2016

Robert M. Czech Chairperson

Civil Service Commission

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