

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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JAMES E. SWEENEY, F. WARREN BENTON, SAM	:	
ORANS, BRIAN PAYNE, RAY MALDONADO, DAN	:	
HEUBEL, PAUL J. ABRAHAMSEN, CHRISTOPHER	:	
MACDONALD, and MICHAEL WEINER,	:	
	:	AFFIDAVIT OF GLENN P.
Plaintiffs,	:	CORBETT
	:	
-against-	:	
	:	
ELIZABETH N. FELD, Mayor, MARLENE KOLBERT,	:	
Trustee, ANNE McANDREWS, Trustee, JIM	:	
MILLSTEIN, Trustee, RICHARD WARD, Trustee,	:	
constituting the Village of Larchmont Board of Trustees	:	
and RICHARD HEINE, "Chief" of the Fire Department of	:	
the Village of Larchmont,	:	
	:	
Defendants.	:	
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STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

GLENN P. CORBETT, being duly sworn, deposes and says:

1. I am Glenn P. Corbett and I live at 42 Lotus Lane in Waldwick, New Jersey.
2. I submit this affidavit to offer a professional assessment of the resolutions passed by the Larchmont Village Board on May 16, 2007 which are at issue in these proceedings. I was invited to offer this assessment by the Plaintiffs in this case.
3. My assessment is that the Board's May 16, 2007 resolutions are unworkable and the resulting conditions potentially dangerous. The volunteers' concerns about firefighting under these circumstances are well-founded.
4. I am an Associate Professor of Fire Science at John Jay College of Criminal Justice in New York City. I also serve as Technical Editor of *Fire Engineering* magazine, as an Assistant Chief of the Waldwick, New Jersey Fire Department, and a member of the New Jersey State Fire Code Council. I am the former president of the New Jersey Society of Fire Service Instructors, and I was a member of the Federal Advisory Committee to the National Construction Safety Team that investigated the 9/11 World Trade Center disaster and the fire at the Station nightclub in Rhode Island.

5. Earlier this year, I was invited by a Task Force of the Fire Council of the Larchmont Fire Department to serve as a technical reader of the Task Force's study of consolidation of the Larchmont Fire Department with the Town of Mamaroneck Fire District.

6. In reviewing the Task Force report I became familiar with the general approach to operations of the Larchmont Fire Department. I thought that the report was thoughtful and technically competent, and was impressed that the leadership of a fire department was willing to objectively assess the merits of a merger and then arrive at the conclusion that the time had come to merge.

7. I have read the affidavits filed in this case by Defendants Feld and Heine, and by Plaintiffs Benton, Sweeney, Broderick, Abrahamsen, Payne and Wiener.

8. The Village of Larchmont Fire Department has been a small combination volunteer/paid department where most of the firefighters at a working fire are volunteers. It has been organized and staffed so that 3 or 4 paid firefighters are scheduled to be on duty at any time by the department to respond to alarms. If there is a working fire, the first responsibility of the paid firefighters is to operate the pumpers and tower ladder. Thus, most of the interior firefighting will of necessity be accomplished by the volunteers.

9. The National Fire Protection Association (NFPA) is an authoritative source on public safety. NFPA's codes and standards influence every building, process, service, design, and installation in the United States, as well as many of those used in other countries.

10. NFPA 1720, titled "Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments" provides the minimum national standards applicable to a combination department like LFD has been in the past. NFPA 1710, titled "Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments" is the parallel standard that applies to a "substantially all-career" department.

11. Approximately 30 volunteers have informed the Fire Council of their intention to resign, according to the Abrahamsen affidavit. If those resignations become effective, the department, by itself, will not be able to meet either NFPA 1710 or NFPA 1720.

12. If the department has three paid firefighters on duty and if the level of volunteer response typically involves only the few remaining active volunteers who have not informed the Fire Council of their intent to resign, the department would be incapable of providing fire protection without substantial assistance from a nearby department.

13. It is very unlikely that the LFD would be able to recruit 20-30 new volunteer firefighters to replace those who resigned. The fact that Larchmont increased the number

of active volunteers from 23 to 27 between 2001 and 2007 (Wiener Affidavit paragraph 26) is remarkable to me. Even if Larchmont was to immediately recruit 20-30 new volunteers, their level of training, experience and skill would be very limited during the first several years of service.

14. The current volunteer firefighters have expressed concerns about the safety of firefighting under the circumstances currently developing. Their concerns involve uncertainties about the incident command structure, but more importantly, concerns about the adequacy of staffing in the event of an actual fire. (See Wiener affidavit paragraph 23, and Abrahamson affidavit paragraph 16)

15. NFPA 1710 provides a useful summary of what a fire company should be prepared to do to initiate attack for a working fire. Standard 5.2.4.2.2 describes typical initial full alarm assignments:

- (1) Establishment of incident command outside of the hazard area for the overall coordination and direction of the initial full alarm assignment. A minimum of one individual shall be dedicated to this task.
- (2) Establishment of an uninterrupted water supply of a minimum 1520 L/min (400 gpm) for 30 minutes. Supply line(s) shall be maintained by an operator who shall ensure uninterrupted water flow application.
- (3) Establishment of an effective water flow application rate of 1140 L/min (300 gpm) from two handlines, each of which shall have a minimum of 380 L/min (100 gpm). Each attack and backup line shall be operated by a minimum of two individuals to effectively and safely maintain the line.
- (4) Provision of one support person for each attack and backup line deployed to provide hydrant hookup and to assist in line lays, utility control, and forcible entry.
- (5) A minimum of one victim search and rescue team shall be part of the initial full alarm assignment. Each search and rescue team shall consist of a minimum of two individuals.
- (6) A minimum of one ventilation team shall be part of the initial full alarm assignment. Each ventilation team shall consist of a minimum of two individuals.
- (7) If an aerial device is used in operations, one person shall function as an aerial operator who shall maintain primary control of the aerial device at all times.
- (8) Establishment of an IRIC that shall consist of a minimum of two properly equipped and trained individuals.

16. In my opinion, the volunteers' concerns about the effects of understaffing on safety are well-founded. In the event of a working fire, LFD would respond with three paid firefighters who would position two pumpers and a tower ladder. If only a few volunteers arrive in the first minutes, initial attack in the manner described above would be impossible. It would be dangerous to initiate some of the functions listed above with less than the recommended numbers of firefighters involved, or to initiate some of the functions while not initiating others that may be equally necessary.

17. It is reasonable for the current volunteers to assess their individual safety based on the decisions of most of the experienced firefighters to remain in the department or resign. If most of the experienced volunteers are electing to resign, the conditions for the remaining less-experienced volunteers could become dangerous.


18. While assistance from neighboring departments, provided through a mutual aid agreement, might arrive within a few more minutes, the mutual aid company would be arriving at a fire scene where the initial attack might have been delayed and impaired. The mutual aid company would be in a position to attack the fire with greater safety and effectiveness if it was automatically called as the first-due company, with Larchmont providing assistance based on the resources it can make available.

19. One final observation is that it is my experience that within combination departments, friction between paid and volunteer staff is a common problem. The best way to address the problem, on an ongoing basis, is to work constructively, supportively and respectfully with both the paid and the volunteer staff to achieve safe and effective firefighting for everyone involved.



GLENN P. CORBETT

Sworn to before me this
7th day of June, 2007



Notary Public

