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Testimony Before the City Council Committee on Fire and
Criminal Justice
Proposed Int. No. 781-A
October 20, 2008

This testimony is offered by the Community Housing Improvement Program (CHIP). CHIP is an association of New York City multifamily housing owners with small to medium sized holdings. Our members form the backbone of the traditional multifamily owners of rental housing.

CHIP is concerned about proposed Intro 781-A. There is not persuasive evidence that such an effort will have a direct impact on fire safety, and it is with interest that we note that the Fire Department has not taken a position on this matter. We note also that the measure was not introduced at the request of the Fire Department.

CHIP has a long record of supporting fire safety measures, and it is one of the subjects on which we keep our members informed. There are numerous requirements already in force which assist firefighters in responding, including the filing of building floor plans, emergency lighting, fire safety plans, and other provisions.

Further, the City has recently enacted a new Fire Code which is codified as Title 29 of the Administrative Code of the City of New York. It took effect on July 1, 2008. This new code was the product of a lengthy process in which the foremost fire safety professionals made recommendations, and is based largely on nationally recognized fire safety standards. The photoluminescence provision of 781-A was not included.

CHIP believes that the new fire code should be allowed to stand as is, certainly at least until such time as sufficient operating experience accrues, and informed decisions about

whether there is a need for further updates could be considered. Accordingly we recommend taking no action on the matter at this time.

Testimony of

Stephen Moro
Deputy Chief of Operations
New York City Fire Department

Before the
New York City Council
Committee on Fire and Criminal Justice Services

October 20, 2008
City Hall



Introduction

Good morning Chairman Martinez and Committee members. My name is Stephen Moro, and I am Deputy Chief of Operations for the New York City Fire Department (FDNY). Thank you for the opportunity to speak with you today about Intro 781-A, which would mandate that the Fire Commissioner promulgate rules requiring certain building owners to place photoluminescent apartment numbers on apartment doors.

Specifically, the legislation would mandate that photoluminescent, fire-resistant decals be placed on the lower quadrant of apartment doors by owners of buildings and spaces classified in occupancy group R-2 (formerly "J-2" under the 1968 Building Code) that are 75 feet or taller. Such photoluminescent, fire-resistant decals would be required by this law to clearly indicate the number of each apartment and be at least four inches wide and five inches high.

The occupancies affected would be R-2 buildings or, generally speaking, residential high-rise apartment buildings. The FDNY supports the intent of this bill and believes signage has the potential to facilitate our operations at fires and other incidents, especially those involving smoke conditions or other hazards limiting a responder's ability to see.

We think reflective markings, as opposed to photoluminescent decals, would suffice for purposes of identifying an apartment for a first responder in a smoke-filled environment. These markings would still facilitate our operations during emergencies and would be a less costly option for building owners during these tough economic times.

UNIFORMED
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FIRE OFFICERS
LOCAL 854, INTERNATIONAL ASSN. OF FIRE FIGHTERS, AFL-CIO
ASSOCIATION

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**City Council Hearing on Proposed Int. No. 781-A
before the Committee on Fire and Criminal Justice Services
October 20, 2008**

Good morning Committee Chair Martinez and committee members. My name is Lieutenant Edward Boles, Treasurer of the Uniformed Fire Officers Association (UFOA). I am here speaking on behalf of UFOA President Battalion Chief John J. McDonnell and the more than 2,500 members that comprise the UFOA and whom I proudly represent.

I would first like to thank the committee for the opportunity to testify this morning but more importantly I would like to commend your committee for the hard work and the foresight, especially Robert Calandra, for introducing this very significant bill. As many of you are aware, firefighting is an extremely dangerous occupation, but one of the most dangerous operations that firefighters face is fires in high rise residential buildings. Unfortunately, there have been countless examples over the last few years where both civilians and firefighters have perished in these extremely punishing fires. On January 3rd of this year, Lt. John Martinson of E-249 of Brooklyn lost his life while battling a fire in a high rise residential building in the Ebetts Field Houses. In just the last week, our firefighters fought gallantly to save the lives of a family of six (two parents and four children) in Chelsea and an elderly woman on Roosevelt Island who all succumbed to the ravages of a high rise fire. So the importance of this bill being introduced at this time is that much more significant.

Throughout the years, many pieces of legislation on the NYC Fire Codes have been written, amended and passed to achieve greater safety for the citizens of New York City and for the firefighters who take pride in protecting the lives and property of this great City. After the tragic fire in the Bronx in August of 2006, that took the lives of Lt. Howard Carpluck and Probationary Firefighter Michael Reilly, this committee and their Chair Miguel Martinez along with the leadership of Speaker Quinn took the initiative to write and pass corrective legislation which addressed the ills associated with "self-certification" which was a culprit to the shoddy alteration which took place in this death trap in the Bronx. And just this past July, after several hundred hours of many dedicated individuals in the FDNY, many of them being UFOA members, the NYC Fire Codes have been updated and revised to meet more current standards. The first overhaul since the Fire Codes were last revised in 1968.



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NEW YORK STATE AFL-CIO

NEW YORK CITY CENTRAL LABOR COUNCIL AFL-CIO • MARITIME PORT COUNCIL OF GREATER NEW YORK & VICINITY
UNION LABEL & SERVICE TRADES COUNCIL OF GREATER NEW YORK & LONG ISLAND • NATIONAL SAFETY COUNCIL

So today this committee has an opportunity to improve the safety of both citizens and firefighters by presenting and hopefully passing Intro. 781-A. This bill would require photoluminescent fire resistant decals to be placed in the lower quadrant of apartment doors in high rise residential buildings that are seventy-five feet or more in height. What seems simple and very logical would be an asset to firefighters who operate at these fires.

What is significant about photoluminescent fire resistant decals on the lower quadrant of apartment doors in high rise residential buildings?

As I described earlier, fires in these types of buildings are the most punishing fires that firefighters face. Due to the fireproof construction and the limited means of ventilation, these fires produce high heat conditions and a zero visibility environment. Often, wind conditions, especially on the upper floors, add to the intensity of these fires, which make conditions often unbearable even in the protective firefighting gear that we wear. Just think what conditions the residents who experience fires in these buildings with no protective gear and breathing apparatus face. Extremely dire!!

That's why it is imperative that our members are provided with all the equipment and resources to fight these dangerous fires. Often when firefighters enter a fire area, they must crawl on their hands and knees to reduce the adverse effects of the high heat generated by the fire. Under these excruciating conditions, photoluminescent apartment decals on the lower quadrant of apartment doors provides firefighters a visual cue which will help orient them and assist them with locating and rescuing civilians and firefighters who may be in grave danger. It is important to note that the quicker firefighters can get water on the fire the more lives will be saved and the less property damage will occur. With the photoluminescent apartment door decals being on the lower quadrant of the door, preferably on the lock side of the door, we are able to shine our flashlight on that decal from a crawling position, view that decal from a better perspective and gain a greater orientation of where we are in relation to the fire. Although this may sound simplistic in the grand scheme of things, having that important cue in a hazardous situation can be a lifesaving tool. As I stated earlier, if we can equip our firefighters with the tools and resources to assist them in making their firefighting operations more efficient than we should provide them with those resources. Photoluminescent apartment door decals are a relatively inexpensive, simple device, which can provide lifesaving results to both civilians and firefighters.

In closing, I would like to reiterate that the City Council have been able to work with our Department and our fire unions in passing legislation that help save lives. For example, after the tragedy of September 11th, 2001, some evacuees reported that they were able to follow the glow paint that helped them find their way out of the World Trade Center. The Port Authority installed these photoluminescent markings after the 1993 bombing. As a result of one of the recommendations from the 9/11 Task Force Report, on October 22, 2004, Local Law 26/04 was passed which required the installation of photo luminescent egress guidance systems in public

corridors and emergency stair paths in Class E office buildings to assist those evacuating these buildings during an emergency. Again, a valuable asset to both civilians and firefighters in smoky or limited visibility situations. Intro. 781-A is another device that can greatly assist firefighters in their fire operations. The City of Portland, Maine already has this law on their books since July 1, 2000. It is time that New York City, the most vertical residential city in the United States, enacts this law.

I once again want to thank the committee for having the foresight and initiative to introduce this bill and I implore you to pass this bill. I appreciate the opportunity to testify before you today on Intro. 781-A and I am available if the committee has any questions.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 781-A Res. No. _____

in favor in opposition

Date: 10/20/08

(PLEASE PRINT)

Name: Edward P. Boks

Address: _____

I represent: Uniformed Fire Officers Association

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOYCE BROWN

Address: 160 W 96th ST

I represent: public

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: EVAN LIPSTEIN

Address: 309 E 87th St

I represent: NYC High Rise Building Occupants

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 781-A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Julian Parcel

Address: Chief Counsel

I represent: Fire Department of New York City

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 781-A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Deputy Chief Stephen Maro

Address: Deputy Chief of Operations

I represent: Fire Department of New York City

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆