



FIRE DEPARTMENT

9 METROTECH CENTER

BROOKLYN, N.Y. 11201-3857

SALVATORE J. CASSANO
Chief of Operations
Bureau of Operations

Room 7W-4

April 1, 2005

Mr. Peter Gorman
UFOA President
225 Broadway, Suite 401
New York, NY 10007

Dear Mr. Gorman:

Thank you for your recent correspondence dated February 3, 2005.

While you may have felt that the spirit of your president's message dated January 8, 2005 did not conflict with the Fire Department's own policy regarding apparatus response, the fact remains that the following was printed and communicated to the membership of your union:

"We are advising all officers to continue to follow NFPA regulations and require your firefighters to make a full stop before proceeding through a red light or stop sign while responding to fires and emergencies."

This language is in fact a direct contradiction to the Department's revised policy regarding apparatus response issued on November 18, 2004.

The new Department policy specifically reads:

"When responding to an alarm, drivers may proceed past a steady red signal, a flashing red signal or stop sign, but only after slowing down as may be necessary for safe operation. The foregoing provision shall not relieve the driver from the duty to drive with due regard for the safety of all persons, nor shall this protect the driver from the consequences of reckless disregard for the safety of others."

Again, the revisions to this policy are consistent with New York State traffic and vehicle laws and regulations and we believe it is the right policy

for this Department. By being consistent with state law, we're ensuring that our vehicles are operating under the same safety guidelines that other fire and police departments around the state operate under.

We expect all of our members to exercise discretion and caution when operating any Department vehicle. At all times, our members are to operate Department vehicles with due regard to safety.

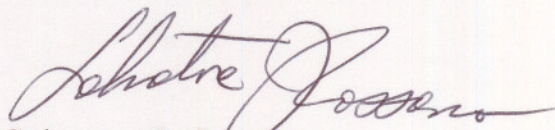
NFPA regulations clearly state that during emergency response, the chauffeur should bring the fire apparatus to a complete stop when a red traffic signal or stop sign is encountered – contrary to New York State traffic and vehicles laws and Department policy. Your advice to your members to “continue to follow NFPA regulations” is a direct contradiction to the policy set forth by this Department.

Fire Officers are the leaders of the Department. They are responsible for overseeing the firefighters in their charge – in the firehouse, on the apparatus and on the fire ground. The conduct of those firefighters is a direct reflection of the Fire Officer in charge. Instructing your members to defy Department policy is negligent on your part.

It is our continuing hope, and we believe yours, that all members operate fire apparatus in a safe and cautious manner that protects our members as well as the public. The Department's policies and regulations are intended to achieve that goal.

Thank you for your time on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Salvatore J. Cassano", written in a cursive style.

Salvatore J. Cassano
Chief of Operations

SJC:kc

c: Nicholas Scoppetta, Fire Commissioner
Peter Hayden, Chief of Department
Lillian Rivera-Inzerillo, Director/Office of Labor Relations