

Boston Herald

Daily News Tribune

MetroWest Daily News

Milford Daily News

Daily News Transcript

Town Online

BROOKLINE TAB

on TOWNONLINE.com

Pick your **gasoline**
rebate here

6% for first 90 days

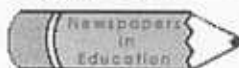


Town Online Home
TOL Sports
TOL Entertainment
News & Opinion
Local News
Opinion
Obituaries
Police / Fire Log
Sports
Arts & Lifestyle
Town Resources
Home Delivery



Classifieds
carfind.com
homefind.com
jobfind.com
merchandise
services
personals
Place an Ad

Features
Photo Reprints
Parents & Kids
Shop TownOnline
Tunes a Brewing
weather
horoscope
crossword
lottery results



LOCAL NEWS

Lawyer: fire truck door could have caused accident

By **Bernie Smith / Staff Writer**
Wednesday, June 2, 2004

A lawyer retained by the family of fallen firefighter Irwin "Buzz" Gross said a faulty door handle on an antiquated fire truck with a history of opening unintentionally may be to blame for the April 30 accident, but Brookline's fire chief said it is too early to judge.

Gross died on May 3, three days after falling from the rear of a 28-year-old reserve truck while responding to a call. The first-line truck was undergoing repairs at the time of the accident.

In a redacted report released by the Brookline Police Department on May 21, an unnamed witness is said to have seen Gross fall from an opened cabin door.

Neil Rossman, a Boston-based lawyer representing the Gross family, inspected the fire truck on May 20 and said the lever used to open the cabin door was not affixed correctly.

"Just by looking at it, I could tell it was improperly installed," Rossman said. Rossman said the lever on the door opposite from where Gross was sitting runs parallel to the ground - from the 9 o'clock to 3 o'clock position; opening the door requires pulling or pushing the lever to an upright position, a 90-degree turn.

The door lever on Gross' side is already in an upright position when closed, Rossman said, and only a slight turn either left or right is needed to open that door.

"If you put the least amount of pressure on it, it will open," Rossman said, whereas a properly installed latch "requires an affirmative action to open."

"We have not corroborated attorney Rossman's statement about the relative sensitivity of the left side safety door," Interim Fire Chief Peter E. Skerry wrote in an e-mail to the TAB. "Even so, we do not know whether that would have contributed to the accident, because there is not conclusive information at this time that indicates how the door came to be open."

Skerry alluded to the Brookline police report, which stated that the engine doors close, latch and stay latched until opened by one of the levers, but Rossman said external factors may be responsible.

LOCAL REGIONAL

-- RELATED ARTICLES --

- [For TMM eyes only](#)
- [Selectmen enjoy power of the badge](#)
- [Pierce School contract raises eyebrows](#)
- [TMM recount scrambles Precinct 7](#)

-- RELATED SITES --

- [Find a Job in BROOKLINE](#)
- [Find a Home in BROOKLINE](#)
- [Find an Apartment in BROOKLINE](#)
- [Yard Sales around BROOKLINE](#)
- [MCAS Rankings for BROOKLINE](#)

-- HERALD INTERACTIVE TOOLS --

- [Email this Article to a Friend](#)
- [Email the Online Staff](#)
- [Email the Newspaper](#)
- [Printer Friendly Version](#)
- [Subscribe to the Brookline TAB](#)

"Either [the engine] flexed during the turn and the door opened, and Gross got up to close it and lost his balance, or somehow he came up against [the lever], and the door opened and he wasn't able to keep his balance," Rossman said.

Rossman said that given the age of the apparatus, the middle of the truck can temporarily flex, particularly when turning, and may have provided enough structural change to cause an improperly-installed lever to open. Gross' fall occurred while the truck he was riding made a right turn out of Station 7 onto Washington Street.

Rossman said the door handle had a history of opening unprovoked, and that firefighters had complained about it in the past. The engine was registered in maintenance logs obtained by the TAB on each of the five days leading up to April 30 accident.

Skerry acknowledged that there was a prior complaint about the door, but that the door had been repaired.

In addition to the Brookline Police report on the incident, the Brookline Fire Department is conducting its own internal investigation, and anticipates completing its report by the end of next week. The Massachusetts State Police and the National Institute of Occupational Safety and Health are also conducting investigations into the accident. Skerry confirmed this week that representatives from NIOSH will visit Brookline to begin their investigation by the end of this month.

Bernie Smith can be reached at besmith@cnc.com.

LION

Put Your no

J

Au

Sept

Oct

Call 800

or click

to

www.ac

DNIX

PHOTO COURTESY OF BROOKLINE FIRE DEPARTMENT