



**STATE OF NEW JERSEY**

In the Matter of Brian Morton, Fire  
Officer 1 (PM2390C), North Hudson  
Fire and Rescue

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

CSC Docket No. 2023-2283

Examination Appeal

**ISSUED: September 25, 2024 (ABR)**

Brian Morton appeals his score on the oral portion of the promotional examination for Fire Officer 1 (PM2390C), North Hudson Fire and Rescue. It is noted that the appellant passed the subject examination with a score of 87.680 and ranks 31<sup>st</sup> on the subject eligible list.

This two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 35.90% of the score was the written multiple-choice portion, 22.04% was the technical score for the evolving exercise, 7.45% was the supervision score for the evolving exercise, 5.71% was the oral communication score for the evolving exercise, 23.20% was the technical score for the arriving exercise, 5.71% was the oral communication score for the arriving exercise.

The oral portion of the Fire Officer 1 examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (Evolving Scenario); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's

structure and condition (Arriving Scenario). Knowledge of supervision was measured by a question in the Evolving Scenario, and was scored for that scenario. For the Evolving Scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. For the Arriving Scenario, a five-minute preparation period was given, and candidates had 10 minutes to respond.

The candidates' responses were scored on technical knowledge and oral communication ability. Prior to the administration of the exam, a panel of Subject Matter Experts (SMEs) determined the scoring criteria, using generally approved fire command practices, firefighting practices, and reference materials. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process. It is noted that candidates were told the following prior to beginning their presentations for each scenario: "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score."

Candidates were rated on a five-point scale, with 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. For each of the scenes, and for oral communication, the requirements for each score were defined.

On the Evolving Scenario, the appellant scored a 2 on the technical component, a 4 on the supervision component, and a 5 on the oral communication component. On the Arriving Scenario, the appellant scored a 5 on the technical component and a 5 on the oral communication component.

The appellant challenges his scores for the technical component of the Evolving Scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenario were reviewed.

The Evolving Scenario involves a fire reported on the second floor of a college dormitory where the candidate is the First-Level Fire Supervisor of the first arriving engine company, Engine 4. The prompt indicates that Battalion 4 and Ladder 2 are responding with the candidate while Engine 5 is seven minutes out. Additionally, it states that the fire was first reported 10 minutes earlier and that the sprinklers are functioning. Further, a resident director approaches the incident commander and states that two students on the second floor are unaccounted for. The candidate's engine company is ordered to establish a primary water supply and attack the fire while Ladder 2 will conduct a primary search and Engine 5 will be responsible for a secondary water supply. Question 1 then asks the candidate what orders they will give their crew to complete their orders from the incident commander. The prompt

for Question 2 states that as the company officer, the candidate and their crew are approaching the seat of the fire, they come across two students in the hallway who are unresponsive. It further indicates that Ladder 2 is by the elevator on the second floor. It then asks the candidate to describe the specific actions they and their crew should now take.

The SME awarded the appellant a score of 2 on the technical component of the Evolving Scenario based upon a finding that the appellant failed to perform the mandatory action of ordering the fire department connection (FDC) standpipe/sprinklers to be fed and missed a number of additional opportunities, including, in part, the opportunity to ensure fire doors are properly controlled.

On appeal, the appellant challenges the validity of requiring the first due engine to always feed the FDC as a mandatory response. In this regard, he presents that John Norman, *Fire Officer's Handbook of Tactics* (4th ed. 2012) at 125 states that “[o]ne of the 1<sup>st</sup> arriving engine companies should be assigned the duty of supplying the sprinkler siamese.” The appellant argues that because Norman does not say it has to be the first engine and the prompt for the scenario does not have the incident commander assign that duty, it should not have been considered a mandatory response. Further, the appellant contends that Norman, *supra* at 125 indicates that connecting both the sprinkler system and handlines to the same hydrant will cause the pressure available to the sprinkler heads to drop, which could lead the fire to intensify and overwhelm the sprinklers, causing still more heads to open and pressure to drop even lower. The appellant maintains that the feeding the FDC with only Engine 4 on scene would cause the same issues, as the hydrant location being used would have been on the same main as the sprinkler/standpipe system and would steal water from the system and the handlines stretched from the engine to attack the fire. The appellant, citing Norman, *supra* at 127, also suggests that the use of the sprinkler system could reduce the chance of survival for the two individuals who have not been accounted for, as the sprinkler system would push fire gases and smoke down to the floor. The appellant also expresses concern for the lives of the fire crews, noting that Norman, *supra* at 138 advises that the sudden operation of the sprinklers will cause a large steam or smoke cloud and red-hot water to descend on fire personnel, which might force them to retreat to an area of refuge. Moreover, the appellant argues that because the incident commander did not order the standpipe/sprinkler to be fed, it would be inappropriate for him to assume that the incident commander wanted him to do so, especially since “there is no literature that states the 1<sup>st</sup> due engine is required to feed it.” Finally, the appellant states that his department’s standard operating procedures state that the third due engine feeds the FDC, which further evidences that the first due engine is not required to hit the FDC.

With regard to the opportunity to make sure that the fire doors were properly controlled, the appellant argues that neither the written portion of the scenario nor the diagrams mentioned the location of the fire doors. He proffers that if the fire doors

were the stairwell doors, they would have to be open for the firefighters to attack the fire. Finally, the appellant alleges that other candidates from his department did not mention the fire doors in their responses and that they were not marked down for it.

## CONCLUSION

In the instant matter, at the outset, the Division of Test Development, Analytics and Administration (TDAA) determined that feeding the FDC should be a mandatory response based upon a consensus among the above-noted panel of SMEs it consulted. The appellant's suggestion that this PCA should not have been a mandatory response or was otherwise flawed is deficient for several reasons. First, the prompt advises that the sprinkler system is functioning, meaning that it would be in operation when fire department personnel arrived on scene. As such, feeding the FDC would not suddenly create the life hazard conditions suggested by the appellant. Additionally, the appellant misconstrues Norman, *supra*, as advising against the use of the FDC if more than one water supply is not available. In actuality, Norman repeatedly emphasizes the importance of utilizing sprinkler systems to combat working fires. For example, John Norman, *Fire Officer's Handbook of Tactics* 120 (5th ed. 2019) states that "[i]n past years, there have been catastrophic fires that were directly attributable to the decisions of the fire departments to shut off the sprinkler systems and rely instead on manual firefighting efforts." Norman further notes that "[a]lthough it is true, in certain isolated cases, that it may be necessary to close sprinkler valves to conserve water for manual firefighting it is usually best to allow the sprinkler system to continue to operate until the fire has definitely been extinguished." *Ibid.* Moreover, if "one of the first lines is supplied to the siamese connection and backed up by a second line, we will now begin to discharge more water at a higher pressure where it will do the most good, right over the fire." *Id.* at 122. In addition, it is recommended to "[s]upply the system early, before residual pressures in the mains start to drop, and supply the system with multiple lines of the largest size hose possible, using 2½-in. hoseline at a minimum." *Ibid.* In fact, because of the value of a functioning sprinkler system, Norman recommends promptly deploying resources to attempt to get a non-operational system working, stating specifically:

If we find a fire in a building where the sprinklers are not operating, we will have to stretch handlines and conduct a manual attack, but we should also make every effort to get the sprinklers into action as well. Immediately begin supplying the FDC and monitor the effect that this effort achieves, if any.

\* \* \*

The advantage of getting the sprinkler discharge where it is needed, though—right over the seat of the fire—usually far outweighs any small delay this causes.

*Id.* at 133.

Stated differently, the relevant passages from Norman, *supra*, advocate for connecting the FDC in this scenario, since it would aid the sprinkler system in getting water to the seat of the fire. Norman's discussion of the potential logistical issues and hazards are best understood as informing about conditions to be aware of, rather than suggesting that the FDC should not be used in this instance. As to the concerns about water pressure, even if the pressure going into the FDC is low, because of the clapper valves integrated into such systems, the pressure in the sprinkler system will not drop below what's being fed into the system from its main supply line. TDAA also advises that if an engine is pumped correctly with a water supply established, it should not have issues supplying one handline and one FDC connection. Finally, TDAA observes that because the prompt explicitly states that Engine 5 will be responsible for securing a secondary water supply, the fact that a second engine will be coming with its own water supply served to mitigate any concerns about water pressure on scene.

Regarding the additional PCA of making sure that the fire doors were properly controlled, it is noted that TDAA labeled this additional response as "[e]nsure fire doors are properly controlled (propped open, managed)." Thus, it was not a requirement that all fire doors be closed and not an explicit requirement that the fire doors in a specific location be addressed. Rather, it was an expectation that fire doors which needed to be open for fire operations were kept open, while other fire doors necessary for containing the fire remain closed. As such, the lack of any distinction between fire doors and other building doors in the test booklet diagrams is immaterial to the appellant's failure to identify this PCA. As to the claim that other candidates were not marked down because they failed to identify this PCA, in order to protect the security of the examination, candidates are not necessarily given an exhaustive list of every PCA they missed in their responses. As such, the mere fact that other candidates may not have been specifically told that they missed the opportunity to ensure that fire doors were properly controlled does not mean that they received credit for this PCA. Similarly, the additional PCAs the appellant was told he missed reflected only a portion of the numerous additional PCAs the appellant failed to identify when giving his response to the Evolving Scenario. Critically, since the appellant does not point to any relevant statement that he made which would cover this PCA on appeal, it cannot be said that he has sustained his burden of proof regarding this PCA.

Accordingly, based upon the foregoing, the appellant has failed to sustain his burden of proof and his rating of 2 on the technical component of the Evolving Scenario is affirmed.

### CONCLUSION

A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and that the appellant has failed to meet his burden of proof in this matter.

### ORDER

Therefore, it is ordered that this appeal 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 COMMISSION ON  
THE 25<sup>TH</sup> DAY OF SEPTEMBER, 2024




---

Allison Chris Myers  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Nicholas F. Angiulo  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Brian Morton  
Division of Administrative and Employee Services  
Division of Test Development, Analytics and Administration  
Records Center