



Phil Kadner

Firefighters fume over court ruling in Lemont case

Lemont fire officials can't figure out why school officials wouldn't do everything possible to protect the lives of students.

"The truth is that today or tomorrow, when 400 kids go to school they're going to be in an unsafe environment and there's not a thing we can do about it," says Terry Droogan, chief of the Lemont Fire Protection District.

Droogan's fire protection district had gone to court Monday seeking an injunction against Lemont School District 113 to prevent construction of an addition to Bromberek Elementary School, which is located in DuPage County.

The fire protection district insists that under state board of education building guidelines adopted in March local fire districts have the authority to inspect school buildings.

Under the old school building code, fire inspectors clearly did not have the authority to inspect school buildings or to write citations for fire safety violations.

And that still may be the case.

DuPage County Circuit Court Judge Bonnie M. Wheaton on Monday denied the fire district's request for a preliminary injunction, but confused the issue of jurisdiction by emphasizing the importance of a bureaucrat's decision not to apply the new building code to this case.

When a state board of education official was asked to decide whether the old building code or new code applied to Bromberek school, he said the old code had to apply because he did not have access to the new guidelines.

The issue was further confused by the fact that the school district received its building permits prior to March, when the new state school building code was approved, but did not begin construction until May.

Finally, the judge said she was presented with no evidence of an immediate hazard to the safety of school children.

"Based on a technicality, the judge is saying that there's no need to apply the law as it is now written," Droogan said after the ruling.

"That's idiotic. You have a set of fire safety laws that are in place to protect people and you're ignoring them.

"You wouldn't want firefighters teaching your children and you shouldn't have educators telling firefighters how to protect the lives of kids."

Droogan's primary complaint is that the school district has refused to install fire sprinklers in the existing school building.

Tom Reiter, the Lemont 113 school district superintendent, says it's a matter of economics.

"In good conscience, I couldn't install fire sprinklers in one school building without installing sprinklers in all three of our existing schools," Reiter said. "And to install school sprinklers in all three schools would cost, according to our architect, between \$800,000 and \$1 million."

And Reiter says the old school building code has been in force for 30 years without any child being killed in a fire, therefore the schools are safe.

"We're doing everything the law tells us we have to do," Reiter said.

"I was the fire chief in Bolingbrook when the school district there built a fireproof school and refused to install sprinklers despite my objections," Droogan said. "Well, the fireproof school burned to the ground. I have photographs showing the flames shooting 200 feet into the air.

"The people out there will tell you that fire erupted because of an arson. I say, 'So what?' Arson happens. If children had been in that school building when the arsonist torched it, they would have been killed.

"Here we have a school building with kids in it and an addition next door under construction. There's combustible material around and the construction site is blocking one of the school exits. Because there is only well water available, we wouldn't have enough water pressure to adequately fight a fire.

"And people are telling me some education bureaucrat in Springfield has jurisdiction here, not the people who know something about fighting fires."

Reiter said that in a perfect world, there would be enough money to build a perfect school addition.

"But this is not a perfect world and we have to establish priorities that make some sense," Reiter said. "And there's no way I could tell people in the other schools that the children in Bromberek deserve to have sprinklers and their kids don't."

Droogan disputed the school board's cost figures for sprinklers, saying they were much too high. He countered Reiter's other argument by noting that a new \$17.2 million school was being planned in Lemont that would be equipped with fire sprinklers.

"How is the school superintendent going to explain that to the parents in the other schools?" Droogan said. "Why should the kids in that school be protected?"

"The issue is public safety. Why should people in office buildings have better protection than children in our public schools? Either it's right to have sprinklers in school buildings or it's not?

"You know, for the cost of this legal battle, I think the district could have installed sprinklers in that school building."

Droogan said he would urge his district's board of trustees to appeal the judge's decision.