

**DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
NEW JERSEY FIRE SAFETY COMMISSION
REGULAR MEETING**

Meeting of March 20, 2013

The New Jersey Fire Safety Commission meeting was held on Wednesday, March 20, 2013, at the Middlesex County Fire Academy in Sayreville, NJ.

Commission Members Present: Mr. Pasquale Intindola, Acting-Chairman
Mr. Charles W. Schilling
Mr. Arthur Londensky
Mr. Kevin Bellew
Mr. Stanley Sickels
Mr. Kevin Krushinski
Mr. Lawrence D. Wood
Mr. Daniel DeTrollo
Mr. Gerard Naylis

Commission Members Excused: Assemblyman John Wisniewski, Chairman
Senator Anthony Bucco
Mr. Roger Potts
Mr. John Lightbody
Ms. Kathleen O'Leary
Mr. Fredrick Collender
Mr. Richard Blohm

DCA Staff Members Present: William Kramer, Acting Director
Lou Kilmer, NJDFS
Jerry Clark, NJDFS
Paul Elenio, NJDFS
Charles Lavin, NJDFS
Michael Whalen, Codes and Standards

Guests: Nicholas Kikis, NJ Apartment Assn. Ronald
McGowan Jr., Wildwood Crest FD Rich Silvia, Saddle River Fire
John Garton, NJDOL/PEOSH Scott LaMorticella, Sprinkler Local 696
John Caufield, NFPA Doris W. Flatley, Somerset Fire Academy
David Kurasz, NJFSAB Donald Scher, Fire Marshal Assn. – Somerset
Jeff Cartwright, Essex Prosecutor Bernie Cohan, NJSFCA
Pat Bigoss, Camden Co. College Cathy Chin, Alman Group Community Access
Charles Luxton, NJDFS (ret.) Vincent Corsaro, Jefferson Twp. Fire Bureau
William Johnson, Middlesex County Fire Marshals

A. Call to Order

In the absence of Chairman John Wisniewski, Vice-Chairman Pat Intindola called the meeting to order at 10:12 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits.

Acting-Chairman Intindola regrettably announced the passing of Commission Paul Hartstein. A moment of silence was observed by the New Jersey Fire Safety Commission in his honor.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of January 16, 2013 were approved.

C. Correspondence

Acting-Chairman Intindola noted that all correspondence for today’s meeting is contained in the Fire Safety Commission packets. With no discussion requested on any of the correspondence at this time, the meeting was moved to Public Comment I.

D. Public Comment I

Acting-Chairman Intindola opened up the meeting to any members of the public wishing to address the Fire Safety Commission.

Mr. John Caufield from the National Fire Prevention Association introduced himself to the Fire Safety Commission. He is the new Mid-Atlantic Regional Director, working mostly on code adoptions. His message was to urge people in the fire service to get involved in the codes making process. In particular, he mentioned the work on fire sprinkler legislation as being vital for firefighting today and firefighter safety.

With no more members of the public wishing to comment at this time, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Acting Director Kramer began his report on Division activities by reminding the Fire Safety Commission that today’s meeting was not a quorum – therefore no formal action can be taken.

Chief Kramer gave an update on the new RIMS computer system. It is going to launch fully in April and training has started (via webinar) already. A notice has been sent out to all Fire Officials – informing them that they need to sign up for the training, which takes roughly two and a half hours. The training is delivered remotely from the Division of Fire Safety offices by four individuals. The webinars are being spread out at all different

times for the convenience of the Fire Officials. There are numerous training sessions scheduled through April 11th. Up to 200 trainees can be scheduled for a single session, but attendance has been light thus far. Chief Kramer reminded the Commission members that there will (as with anything else) be a learning curve with the new system, and there will be a help desk set up to deal with the issues that come up. Chief Kramer thanked the Division of Fire Safety staff and Codes and Standards staff – in particular Carol Quinn and Susan Widell who have been tremendous in spearheading the effort. Chief Kilmer added that April 1st the system will start live operation and will be the only system to be used by April 15th.

Chief Kramer gave an update on the regulations package that was forwarded to the Governor's Office for approval. The package is being actively reviewed by the Governor's Office as the Division of Fire Safety has received various inquiries related to it – it's not just languishing there. The Division has been providing clarifications on several items. The Division of Fire Safety is also re-establishing Peer Review and five individuals (three for the board and two as alternates) are awaiting approvals of their appointments.

Chief Kramer reported that the New Jersey FIRE Bowl is coming up this May at Kean University and encouraged all Commission members to attend. Also, Charles Lavin from the Division's Public Education Unit will be introducing the concept to the NFPA at their national convention this June. The New Jersey FIRE Bowl Championship will be hosted by News 12's Tony Caputo on May 17th.

Mike Gallagher from the Division of Fire Safety has been heading up the Highway Traffic Safety Program on an ongoing basis. There have been thousands of first-responders who have gone through this 2-hour presentation. There are some new updates on the training coming out, including minimum equipment that needs to be carried to incidents on limited-access highways. Also, a credentialing process will be established to those responding to incidents on these highways. The Division of Fire Safety has been contacted by the Federal Highway Administration – who will be evaluating our system in New Jersey and potentially making it a “best practices” state nationally. Chief Kramer commended Mike Gallagher and all those who worked on the Highway Traffic Safety Guidelines.

Chief Kramer reported that ProBoard had been in New Jersey to evaluate our certifications. IFSAC came as well to do the same thing. The Division of Fire Safety is now in the process of making the proper adjustments for both ProBoard and IFSAC to have eight certifications accredited nationally.

Chief Kramer spoke about the issues from Hurricane Sandy that the Division of Fire Safety continues to work on. DCA Commissioner Constable and Chief Kramer have met with Fire Chiefs from throughout the shore area, and there are still considerable challenges and struggles they are facing. The difficulties range from firefighter retention to dealing with FEMA to saltwater intrusion affecting equipment. Chief Kramer said the state's fire service is going to have to continue to step up to help the fire departments of

Monmouth and Ocean Counties. Chief Kramer also talked about how the Department of Community Affairs, and its many divisions, has become ground zero for the Sandy recovery process. Commissioner Constable recognizes this and has stepped up in mobilizing DCA to help the affected municipalities. Chief Kramer said new and unexpected aspects of the recovery process are continually popping up.

Chief Kramer expressed his personal condolences to the family of Commissioner Paul Hartstein. He said that - for anyone who had attended services this past week - Commissioner was certainly sent out the right way, and deservedly so.

Commissioner Stanley Sickels asked if there would be any 'Train-the-Trainer' courses for instructors coming from the Division of Fire Safety in the wake of any adjustments made for ProBoard/IFSAC accreditations. Chief Kramer answered that he is not aware of any changes that will need to be made to actual programs. The adjustments mainly deal with policies, procedures, testing security, etc. However, if something does change that instructors would need to know about, Chief Kramer said it would be disseminated.

Commissioner Kevin Krushinski asked when the Highway Traffic Safety Programs would be offered. Chief Kramer answered that they are in the regular brochures distributed by the Division of Fire Safety. Also, a regional delivery of the program could be done upon request – through either Mike Gallagher or Tim Weiss. Commissioner Lawrence Wood asked Chief Kramer if the Division of Fire Safety could possibly elaborate more on the Highway Traffic Safety Program to let people know that it is out there. Chief Kramer suggested the possibility of putting an article in Fire Focus about the program.

Bureau Chief Lou Kilmer said that the Code Enforcement Unit continues to stay on track to get all inspections completed for the year. While the Unit is short several inspectors, a handful of temporary inspectors will be starting work shortly. Some extensions have been issued for the Annual Reports that were due in January. Specifically in towns that have been decimated by Hurricane Sandy, the Division of Fire Safety is working on a case-by-case basis with each of them as the process goes on.

Commissioner Stanley Sickels asked if Acting-Director Kramer had been appointed on a permanent basis yet. Chief Kramer answered that he had not. It is a Governor's appointment and the Governor will make an appointment when he sees fit.

Commissioner Gerard Naylis asked about the status of unpaid fee that were supposed to be collected. Chief Kramer answered that, for the past two years, collections agencies have been working on recouping these funds. At first it was PennCredit, and now it is an agency called FAMS. The Division of Fire Safety has recouped \$2 million in each of the past two fiscal years from these collections.

With no other questions on Division of Fire Safety Activities, the meeting was moved to Advisory Council Reports.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that the Codes Advisory Council meeting was held on February 20, 2013 and the minutes of that meeting is in the Commission packets. Commissioner Schilling spoke about the Subchapter 3 Committee that is continuing to conduct its review. One issue that has come up in this Committee is the size of the Building Information Sign, which seems to be going in the direction of a large sign.

Commissioner Schilling asked Chief Lou Kilmer to comment on the issue of changing a Certification Title for a fire inspector to a License Title. Chief Kilmer said that the Division of Fire Safety reviewed this proposed change and the statute requires a fire inspector to be certified by the Commissioner. The statute would have to be changed before the rules could be changed. The issue of the licensing of all inspectors for non-life hazard uses falls under the same category of needing a change in statute. Acting-Chairman Intindola asked if such a change would include tenure. Commissioner Stanley Sickels added that, when he had met with DCA Commissioner Constable, he seemed to be in favor of both a) all fire inspectors being licensed and b) there being some protection for fire inspectors against political interference (i.e. tenure). Commissioner Sickels hoped the legislative member of the Fire Safety Commission be supportive on this as well and be willing to draft legislation on it. He feels the main problem with a potential Bill is to craft it without using the word “tenure”. It should serve to protect the fire inspector and allow them to do their jobs without political pressure or interference. Commissioner Schilling added that this is something that needs to be thoroughly reviewed. Chief Kramer added that getting tenure of any kind passed would be extremely challenging, but suggested the possibility of adding a mechanism where an independent body does a review before an inspector is removed.

Commissioner Schilling spoke about the issue of portable (trailed) incinerators that are used to dispose of leaves. Chief Kilmer checked with the Department of Environmental Protection on this issue and they require permits for these devices. They are monitored for emissions and smoke generation.

Commissioner Schilling also spoke about the issue of Portable Emergency Generators. The distance that the unit is required to be away from a building was debated at the previous meeting, with it eventually being determined that the UCC standard of five feet from any combustible wall or building opening was sufficient. Mr. Richard Silvia spoke about the issue and feels that 15 feet would be a safer distance, depending on what type of generator is being used. Mr. Silvia said in a lot of cases Carbon Monoxide detectors are going off when the generators are 5 feet away. Commissioner Sickels said there are many considerations when determining this distance – the type of exterior wall present, the type of generator, etc. Michael Whalen from Codes and Standards added that common sense should prevail when someone is using a gas-powered generator with their windows open nearby or fueling a running generator, etc.

The issue of School Security/Locking of Classroom Doors was raised at the last Codes Council meeting, and the Division of Fire Safety issued a Bulletin on the matter. Schools have been coming up with new procedures and purchasing new devices in order to conduct a lockdown when there is an active attack on school grounds. The Codes Council and Division of Fire Safety will review the locking devices to make sure they are not going to trap people inside in the event of a fire, but as far as deciding on locking device and procedure during an attack – that is up to the school and municipality to decide.

Commissioner Gerard Naylis asked about the issue of Windowless Basements being tabled by the Codes Council until more information is available. He wanted to know who was monitoring the situation. Commissioner Sickels answered that there were some more details in regards to measurements and dimensions that were not available for review at the time.

Commissioner Naylis asked for a clarification on smoke detectors being changed. For the head of an AC-powered detector to be changed, does it require a UCC permit? Michael Whalen replied that it falls under “ordinary maintenance” and can be done without a permit.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Firefighter I and II Committee is working on NFPA Standards that have to do with those courses, and are looking at them as far as the recommendations from IFSAC and ProBoard. Also, for Fire Officer 3 and 4, they are running a pilot program with about 20 students. It appears to be running well and the Council is looking forward on getting feedback on it, which it will share with the Fire Safety Commission when received.

In regards to the RIC Guidelines, Commissioner Wood stated that they were approved by the Fire Safety Commission at the previous meeting. He asked what then becomes of the guidelines – whether it is put into the regulations or not; or should there just be a mention of them in the regulations and that they have been adopted by the Division of Fire Safety? Or should there simply be a notification sent out to fire departments? Commissioner Naylis thought trying to get them adopted as regulations would bog down the process, and that providing it as a guideline would allow them to get out more readily and be more effective. Commissioner Sickels said his understanding was that the guidelines would simply serve as a basis for training to be used by fire academies. Chief Kramer said that it is his feeling that guidelines – as opposed to regulations - would be a good start, and he is not sure they even have the legislative authority to mandate certain requirements for RIC. Chief Kramer said the RIC Guidelines would be available as a resource for fire departments like many other “fire service reference booklets”.

Commissioner Sickels brought up the topic of credentialing. He asked if there was any kind of statewide system coming where emergency responders are issued ID cards where their identifications and certifications are made clear. Chief Kramer said that many

counties have been doing this on their own, but there is no state card being worked on and he does not see it on the horizon. This is an issue across State government. Commissioner Sickels said that his is an accountability issue and needs to be looked into. Chief Kramer agreed and said he would address it with Homeland Security and Preparedness. He said that it is a huge project that costs a lot of money and hours to get started, and then maintain. Chief Kramer feels that it needs to be made State law first.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the Statistics and Information Advisory Council met on March 5th at the Monmouth County Fire Academy. The minutes of this meeting are contained in the meeting packets.

Commissioner Naylis reported that data is still being received for the year 2012 with a cutoff date yet to be decided. The NFIRS data for 2013 is at 37% with 250 departments out of 729 reporting. Data for the year 2012 is at 87% with 638 departments out of 729 reporting. There were a total of 77 civilian fire fatalities in 2012.

Commissioner Naylis provided statistics from the first part of last year that illustrated a spike in fire fatalities. The numbers show that that particular snapshot in time was an anomaly, and fatalities did not stay on that pace throughout the rest of 2012. The challenge then becomes, what is causing the fatalities that are occurring? Commissioner Naylis commended the Division of Fire Safety staff for being persistent on examining the incidents where fatalities occurred and determining the causes. Unfortunately, it seems that people who perish in fire are not following ‘best practices’ when it comes to fire safety and fire prevention.

Commissioner Naylis added that the fire departments’ issues with Hurricane Sandy will certainly be affecting the reporting data that is received by the Division via NFIRS. For various reasons – including being left with no records – fire departments were unable to report and/or track their data.

Commissioner Naylis concluding his report by urging everyone to make sure their fire departments are submitted their data and stressed its importance.

4. Master Planning and Research Advisory Council

In the absence of Commissioner John Lightbody, no report was given.

5. Public Education Advisory Council

Chairman Daniel DeTrollo reported that the Public Education Advisory Council met on March 13th at the Middlesex County Fire Academy and gave the following report on that meeting:

The FIRE Bowl trip to Middlesex County Fire Academy is set for April 17th at 10 AM. The final event will be at Kean University on May 17th at 11 AM. All Commission members are of course welcome to attend, and Commissioner DeTrollo urged them all to do so.

Charles Lavin reported that Atlantic City Electric has agreed to print calendars to promote this year's poster contest – as opposed to posters which had been printed and distributed in the past. This amounts to Atlantic City Electric essentially doubling their sponsorship effort, but they were very excited about the new idea to make calendars and agreed to do so. This was done through their Emergency Services Partnership Program led by Vince Jacono. Charles Lavin said that he, Chief Kramer, and Commissioner Sickels would have to collaborate on what exactly would be included in the calendars (in regards to dates, sponsorship info, highlighting other programs).

Paul Elenio reported that the smoke detectors have not been received yet, but they will be housed at Montclair State University once they are. The detectors will then be quickly distributed at various pop-up events Statewide. Mr. Elenio and Chief Kramer both feel that it is best to get the detectors out and make them visible instead of have them sitting in a warehouse waiting to be picked up.

The next meeting of the Public Education Advisory Council is scheduled for May 15th at the Middlesex County Fire Academy in Sayreville.

6. Firefighter Safety and Health Advisory Council

In the absence of Commissioner Richard Blohm, no report was given.

7. Juvenile Firesetter Prevention Advisory Council

Commissioner Kevin Krushinski reported that a meeting of the Juvenile Firesetter Prevention Advisory Council was held on March 14th at the Burlington County Fire Academy. The minutes of that meeting are in the meeting packets.

In regards to the "Fire Is" program, the website is in danger of going down due to a lack of funds. The Homeland Security grant has been exhausted, and members are looking into possibilities of raising \$10,000 to keep the website up and running.

The Juvenile Firesetter Prevention Advisory Council is looking for law enforcement to review a Parents Legal Responsibility Pamphlet. They are attempting to contact someone in the Monmouth County Prosecutors Office to help out with this.

The National Fire Academy is going to be launching a new "Youth Firesetting" program, but the dates have not yet been set. Mike McCleir from Massachusetts will be doing the training once it is available. Also, it was reported that firefighters in districts do not get proper background checks that would allow them to educate children. The law does not require separate fire districts to get FBI background checks as would a municipal fire

company. Joe Ehrhardt will be looking into this matter further and speaking with Chief Kramer to explore the possibility of the Division of Fire Safety becoming the state entity on the background checks.

A meeting of the Northeast Juvenile Firesetter Coalition is set for April 9th in Sturbridge, Mass. Also, the Brandon School Conference is set for May 9th in Natick, Mass.

The next meeting of the Juvenile Firesetter Prevention Advisory Council is scheduled for May 14th at the Middlesex County Fire Academy in Sayreville.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that there has been slow progress in the area of residential sprinklers. He also expressed his displeasure at the modification of the residential sprinkler bill that does not include manufactured housing. However, he considers some progress better than no progress at all. Commissioner Naylis hoped that the State Senate would see fit to pass the bill, and it is his understanding that the Governor has signaled his intent to support the bill if it reaches his desk. Commissioner Naylis said he hoped to see some movement on this before Election Day.

H. Old Business

Commissioner Stanley Sickels spoke about an issue from the previous meeting regarding volunteer fire departments that have been decimated by Hurricane Sandy, and the fact that some have been paying firefighters to work in shifts to provide fire protection. Commissioner Sickels pointed out that in order for a volunteer department to begin paying firefighters, it needs to be made a referendum and put to a vote. He distributed the language to the entire Fire Safety Commission and said it is something that the legislative members of the Commission should look into. Chief Kramer added that the circumstances surrounding Hurricane Sandy are obviously extreme, so there may be allowances made for such a thing under a State of Emergency, etc.

I. New Business

Commissioner Lawrence Wood said that he would be nominating Wesley Suckey for appointment to the Training and Education Advisory Council. He will forward Mr. Suckey's resume to the entire Fire Safety Commission and hopefully he will be voted on and approved at May's meeting.

Chief Kramer announced that the Division of Fire Safety still has some Carbon Monoxide detectors left over from Kidde's donation in the wake of Hurricane Sandy. If anyone has a need for these, they can contact the Division to inquire. Otherwise, the leftover detectors will be incorporated in the distribution of the Operation Save-a-Life detectors. Also, Chief Kramer said the Division would be using the new logo and slogan

from USFA entitled “Fire is Everyone’s Fight” - which will be appearing on all publications. Chief Kramer suggested that all fire organizations do the same.

New Jersey Weekend is scheduled for June 7-9 at the National Fire Academy in Emmetsburg, MD. Notices have been sent out for registration.

Chief Kramer announced that, at the International Association of Arson Investigators Conference, the NJDFS’s Arson Investigation Unit was given the “Arson Unit of the Year Award”. They have also been nominated for the national award for Arson Unit of the Year. Chief Kramer congratulated Chris Eckert and his staff.

J. Public Comment II

With no members of the public wishing to comment at this time, the meeting was moved to Adjournment.

K. Adjournment

Acting-Chairman Intindola asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 11:49 am.

*** The next meeting of the Fire Safety Commission will be held on Wednesday, May 22, 2013 at 10am. It will be held at the Hyatt Regency Hotel in Jersey City, NJ ***