

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

Meeting of January 16, 2008

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The New Jersey Fire Safety Commission meeting was held on Wednesday, January 16, 2008, at the State House Annex in Trenton, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Pasquale Intindola, Vice Chairman
Mr. Charles W. Schilling
Mr. C. Kenneth Anderson
Mr. Arthur Londensky
Mr. Arthur Mercurio
Mr. Paul Hartstein
Mr. Frederick Collender
Mr. John Lightbody
Mr. Gerard Naylis
Mr. Daniel DeTrolio
Ms. Kathleen O’Leary
Mr. Lawrence D. Wood

Commission Members Excused: Mr. Richard Blohm
Mr. Steve O’Gorman

DCA Staff Members Present: Joseph Doria, Commissioner
Lawrence Petrillo, State Fire Marshal
William Kramer, NJDFS
Charles Lavin, NJDFS
Charles Luxton, NJDFS
Lou Kilmer, NJDFS
Jerry Clark, NJDFS
Amy Frank, Codes and Standards
Michael Whalen, Codes and Standards

Guests: Chuck Aughenbaugh – NJ Deputy Fire Chiefs
Rich Heimbach - Pompton Plains Fire Dept.
Raymond W. Lonabaugh – NFSA
David Kurasz – NJFSAB
Bob Yaiser – Toms River Fire Dept.

A. Call to Order

Chairman John Wisniewski brought the meeting to order at 10:00 AM and pointed out the fire exits.

Chairman Wisniewski mentioned that this meeting marked two years since the Chairman and Vice-Chairman of the Commission had been elected, and moved that a vote be held before today's meeting. Vice-Chairman Pat Intindola nominated Assemblyman Wisniewski for re-election to the post of Chairman. Commissioner Arthur Mercurio seconded this motion, and Assemblyman Wisniewski was unanimously re-elected as Chairman. Chairman Wisniewski thanked the Commission for their vote of confidence and looks forward to working together in the future.

Commissioner Daniel DeTrollo nominated Commissioner Intindola for re-election to the post of Vice-Chairman. Commissioner John Lightbody seconded this motion, and Commissioner Intindola was unanimously re-elected as Vice-Chairman.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of November 14, 2007, were approved.

C. Correspondence

Chairman Wisniewski noted that all correspondence and council meeting minutes are contained within the Commission packets. Commissioner DeTrollo noted document in the Commission packets containing the four recent pieces of legislation. He thanked not only Chairman Wisniewski, but also Commission C. Kenneth Anderson, for their terrific work and testimony on these bills. Chairman Wisniewski asked that all the Commission members look at these four pieces of legislation and send any suggestions they may have to his office. This is important so that necessary changes can be made before it gets to a Committee Hearing.

With no further discussion on correspondence, the meeting was moved to Public Comment.

D. Public Comment

Chuck Aughenbaugh, President of the New Jersey Deputy Fire Chiefs spoke about his organization's work with the Northeastern State Fire Consortium on getting funding to the National Fire Academy for state fire training programs. He spoke about each state contributing a certain amount of dollars to the National Fire Academy to fund training.

Mr. Aughenbaugh distributed copies of an article from the January issue of Firehouse Magazine that talked about federal funding for state fire training. Also, the NJ Deputy

Fire Chiefs requested that the NJ Department of Personnel require that all candidates for Battalion Fire Chief and Deputy Fire Chief take the incident command courses I-300 and I-400. Mr. Aughenbaugh wants to look into why the momentum on this request has slowed down. Mr. Aughenbaugh also spoke about a letter that was drafted from his organization to Assemblyman Wisniewski's office that talks about the need to get the Division of Fire Safety more funding.

With no other members of the public wishing to speak, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

State Fire Marshal Petrillo began his report by talking about the new proposal on the International Fire Code. There were, what Director Petrillo thinks to be, a record number of comments made on this proposal. There were over 452 letters and comments opposing the proposal. Of those, there were 281 tenet form letters questioning whether the costs involved would out-weigh the significant enhancement of life. There were also 211 non-form letters opposing the proposal. Director Petrillo also mentioned that there were many letters supporting the proposal, some of which from various firefighter organization.

All in all, the amount of comments, letters, and phone calls received regarding this proposal has been extensive. What we are looking to do now is adopt the International Fire Code and hold off, for now, on moving forward with the requirement of sprinklers. A consultant will most likely be brought in to do a study and look at how to move forward with the requirement of sprinklers. The International Fire Code will hopefully be adopted by March, but they are still in the process of answering the many comments. Director Petrillo thanked Amy Frank and Mike Whalen for all their help and hard work on this issue.

Director Petrillo spoke about the Safe Cigarette Act. This Act will require all cigarettes sold in the state to meet specific fire safety requirements. New York, and many other states, adopted these laws a few years back and New Jersey is following suit. The Division of Fire Safety will be charged with developing the regulations for and enforcing these laws. Director Petrillo believes that these laws on fire-safe cigarettes will certainly save lives in years to come.

Director Petrillo spoke about the issue of school lockdowns and how they conflict with the fire code. A Committee down in Camden County, which includes the schools, law enforcement, the fire service, etc., has been working diligently on this issue and has done a lot of good work to develop an appropriate, as well as fire-safe plan.

Director Petrillo distributed a diagram of a new logistics support vehicle that the Division of Fire Safety will be receiving in the near future. The vehicle, which was purchased with Homeland Security dollars, will be used mostly for large-scale incidents as a centralized platform that Division staff will be able to coordinate from. At recent incidents, other state agencies had vehicles like this, and now the Division of Fire Safety

and the state's fire service will have the same capabilities. The Division will receive this vehicle within the next month or so.

The Division of Fire Safety has also met with NJ State Police recently to discuss the draft of the Highway Incident Traffic Safety Guidelines. This is a project to address incidents on the State's highways and coordinate emergency services when incidents do take place out on these roads. Colonel Matos from State Police was very receptive to the project and encourage all interested parties meet to discuss this. The Division is looking to fast-track this project and it will hopefully be endorsed by the Governor and adopted by May or June.

Director Petrillo noted that there have been some issues regarding the Emergency Fire Resource Deployment Act, namely with the appointment of fire coordinators. A question has come up as to whether the coordinator is working under their local Office of Emergency Management, or the Division of Fire Safety. Until this issue is cleared up, possibly with legislation, there is a gray area when dealing with these situations. A meeting is schedule with the Office of Emergency Management in the coming weeks and hopefully progress will be made there.

Department of Community Affairs Commissioner Joseph Doria stopped into the meeting to say hello to the Fire Safety Commission and wish everyone a Happy New Year and thank them all for their hard work. Commissioner Doria spoke briefly about the many, many comments that have come in regarding the Uniform Fire Code. He said that DCA would be conducting an independent study in regards to the cost factor and what the impact would be on the affordability of housing. Chairman Wisniewski said that Commissioner Doria stopping by the meeting showed his genuine concern for the work of the Fire Safety Commission and thanked him for stopping by.

Director Petrillo finished up his report by adding a couple more quick points. The Firefighter II regulations would be published in the January 22nd State Register. The emergency procedure portion of those regulations should be published sometime in early March. Also, there is now a full-time employee of the Division of Fire Safety stationed at the state's Regional Operations Intelligence Center (ROIC) serving as a liaison to the State Police and other emergency response agencies. The employee is Jim McFadden, and he can be reached at the ROIC at 609-963-6828, or on his cell phone at 609-947-7468. If anyone in the fire service has any information to share with the ROIC, please contact Jim.

Chief William Kramer reported that the Division is going through the process of allocating additional funding to Kean University to develop a revised version of the Fire Inspector training course. It is hoped that will be completed very shortly. The Division is also working with Kean University on a Homeland Security Conference for (possibly a two-day) event in the late-Spring or early-Summer.

Chief Kramer spoke briefly on New Jersey Weekend at the National Fire Academy in Maryland. The brochures on this event have not been put out just yet because approval

has not been obtained for the Division to travel to and staff the National Fire Academy for that weekend. Hopefully this will be approved shortly so the brochures can be distributed and New Jersey Weekend can go on as planned.

The Division of Fire Safety is in the final stages of planning its spring semester of fire training courses, and those booklets with course listings should be distributed in the near future. Also, Chief Kramer reminded the Commission that the annual kick-off of the WABC-7 Operation Save-a-Life will be taking place at Tavern on the Green in New York City. The Division anticipates receiving around 15,000 smoke detectors through this program.

Commissioner Arthur Mercurio spoke about volunteer firefighters and the benefits their families are entitled to in the event of a fire fatality. Commissioner Mercurio cited a recent ruling related to September 11th where a firefighter's family was denied benefits because that firefighter was not in his normal jurisdiction. Commissioner Mercurio wants to be sure that this sort of thing can not happen in the State of New Jersey. Chief Kramer said that this is certainly an issue that we need to keep an eye on. Chief Kramer also thanked Commissioner Paul Hartstein and his staff for their terrific work on the school lockdown issue.

Commissioner Intindola inquired about a fire from last year in Union Township that had four fatalities. Commissioner Intindola had read a report that one of the victims had been clutching a fire extinguisher when they were found. Director Petrillo said that the Division of Fire Safety has been working on the report for this incident and felt it would not be appropriate to comment on it at this time.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that the Codes Advisory Council had not met since the last Fire Safety Commission meeting in November. Commissioner Schilling said that the Codes Council has been somewhat "on hold". The December meeting was cancelled because the comment period on the International Fire Code was on-going. State Fire Marshal Petrillo had already talked about all the comments that had been made on Sub-Chapter 3.

Commissioner Schilling said the Codes Council would be interested to review the findings from the DCA's independent study that they are going to conduct. The Codes Council has done so much work over the last couple years on this issue, so they should be able to at least go over the study's results.

2. Training and Education Advisory Council

Commissioner C. Kenneth Anderson gave the following report of the Training and Education Advisory Council:

The Training and Education Advisory Council met on December 18th at the Dempster Training Center at 10:00 am. The minutes of the meeting are in the Commission packets. Several things were distributed with the minutes and were reviewed by the staff:

- Number of certifications issued by the Division. There are 74,001 total active certifications.
- Draft of changes to Fire Officer Certification Standards to implement the recommendations from the pilot presentations. They will be considered next meeting.
- Skills Crosswalk on Wildland Training for Structural Firefighters.
- NIMS 5-year Training Program.

Other items from the meeting:

- An SME group is reviewing exam questions for Firefighter II and Fire Officer I and II.
- The document to start the process for ProBoard Accreditation is working its way up the ladder.
- The T&E Committee will continue work on the Drill Ground Instructor training rather than use the RFP process.
- Position Specific training for ICS positions is being developed in DHS/USFA/NFA. The NJ Forest Fire Service is adapting some of its training programs for presentation to the municipal fire service. As the programs become available, the Division will hold Train-the-Trainer classes for Eligible Organizations.
- The Office of Homeland Security and Preparedness will offer Awareness, Operations, and Marine Firefighting classes for targeted agencies.
- The RIT Training Committee continues to meet and make progress. It intends to have documents finished for the February T&E meeting.
- In response to interest that has been shown a committee was appointed to review the topic of Driver/Operator Training.
- There was a discussion on textbooks for Firefighter I courses, preparing specification, the bidding requirements, and the problems with possibly changing the text every two or three years.

The Council will continue to meet at 10 am on the third Tuesday of even numbered months. The next meeting will be February 19th at the Dempster Training Center.

Commissioner Anderson submitted the resume of Alfred Gerber, III, and made a motion that he be appointed to the Training and Education Advisory Council. The motion was seconded by Commissioner Mercurio and passed unanimously.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the Statistics and Information Council met in December. At that point, the percentage of fire departments reporting for 2007 was over 85%, and based on the numbers coming in the Council is confident that the NFIRS

reporting unit will be improving on it's 2006 tally of 96%. This puts New Jersey as one of the top states in the nation in regards to reporting, including better than many of those states that require reporting.

Commissioner Naylis spoke about the changes that are taking place in the actual reporting system itself. One issue was with how to report certain work details. The system is designed to report *incidents*, not track work details. The Council recommends that no further action be taken to track work details. Also, there is data coming in regarding smoke detectors. Hopefully, in the future we will be able to see statistics that illustrate the impact that smoke detectors have in saving lives.

Commissioner Naylis said that in the coming year, the NFIRS Unit and the Statistics and Information Advisory Council will be pushing to get the few departments that are still not reporting on board and reach the goal of 100% of departments using the system.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council had met twice since the last Commission meeting. Commissioner Lightbody spoke about the use of impact fees to cover some of the costs of operating New Jersey's fire service. He cited Florida as an example of where a plan like this has worked. Commissioner Lightbody also spoke about the need to have an electronic version of the New Jersey version of the new Fire Prevention Code, so that local enforcing agencies can have access to it.

Commissioner Lightbody also talked about shared services, and the use of the Division of Fire Safety for doing inspections in certain jurisdictions. The Master Planning and Research Council suggests using shared services to have local enforcing agencies take on more of the responsibility of doing these inspections. This will free up some Division staff to focus on other areas.

The next meeting of the Master Planning and Research Advisory Council will be at 9 am on February 14th at the Middlesex County Fire Academy

Commissioner Pat Intindola submitted the following report of the Residential Sprinkler Coalition Committee:

The Coalition met on Thursday, January 10th at the Middlesex County Fire Academy. We have added people to the Coalition and in attendance were representatives of United Water and the NJ Plumbers Association. Also, a member from Codes and Standards has been added to the Committee.

Relative to water supply, we discussed the various tap fees charged by municipalities. We may need legislation to prevent water utility companies from shutting off water for non-payment of bills when only one water line is used for both domestic and fire – or at least a requirement to notify the fire department prior to shutting the water off. Also

discussed was if and when backflow devices should be inspected. Should it be yearly or when the building is sold? Some of the Committee members will be securing information from other states on this subject.

Should owner-occupied single family homeowners be permitted to install a system on a new home being constructed by him/herself? It was the general opinion of the Committee that since permits and inspections are required, why not?

There was a lengthy discussion on certifications of contractors and licensed plumbers performing the work. We will possibly need a new certification for installers doing the work in a one- and two-family dwelling. As for the inspections, it was unanimous that additional education for fire inspectors would be necessary.

Since our last meeting, we have obtained information on installation costs. A ball-park figure is between \$1.50 and \$2.00 per square foot. Part of our discussion on costs was whether or not a professional engineer's seal would be required or necessary on plans. A few of our members will be meeting with the DCA Commissioner and Director to discuss this and other items of interest.

Public education is also very important. Sprinklers save lives, save on insurance costs, and also saves water.

The next meeting of the Residential Sprinkler Coalition Committee is scheduled for March 27th.

5. Public Education Advisory Council

Commissioner Daniel DeTrollo reported the Public Education Advisory Council met on Thursday, January 10th at the Middlesex County Fire Academy. The Public Education Council, from now on, will be meeting on Thursdays as opposed to Wednesdays. This is to avoid a scheduling conflict for those members that also serve on the Juvenile Firesetter Prevention Council.

Commissioner DeTrollo talked about the planning of this year's edition of the New Jersey FIRE Bowl academic competition. It is hoped that more school districts will join the program this year, and the Public Education Council talked about ways in which this could be achieved.

Commissioner DeTrollo noted that the State Fire Prevention Poster Contest was moving along as scheduled for the 2007-2008 school year. He also made mention of the fact that this was the 10th year of the ABC-7 Operation Save-A-Life program, whose kick-off breakfast is this up-coming week. That program has made great strides in, not only providing citizens with smoke detectors, but promoting public education in the New York metropolitan area.

The next meeting of the Public Education Advisory Council will be 10 am on March 13th at the Middlesex County Fire Academy.

6. Firefighter Safety and Health Advisory Council

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

7. Juvenile Firesetter Prevention Council

Commissioner Paul Hartstein reported that the Juvenile Firesetter Prevention Council met on January 9th at the Burlington County Fire Academy. There was a lengthy discussion reviewing the 5th Annual Juvenile Firesetter Conference, which had a wide-range of participants in attendance and got excellent reviews. It has been suggested that at next year's conference more be included regarding gang violence and intervention.

On March 6th and 7th there will be a Juvenile Firesetter Intervention Specialist I course being offered at the Toms River Fire Academy. There has also been progress made in the area of requiring fire officials to report to a Juvenile Firesetter program when an incident involves a juvenile. We are in the process of adding fire official awareness progress to the curriculum at Kean for the spring semester.

The next meeting of the Juvenile Firesetter Prevention Committee will be March 12th at the Burlington County Fire Academy. All members were asked to bring the curriculums from their respective counties and programs so the Council can review and compare them.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis felt that the Residential Sprinkler Committee's report was sufficiently covered under Master Planning and Research Council's report. Commissioner Naylis, however, did add that there are basically two ways to go about getting residential sprinklers – legislative action or a change in the master code. Commissioner DeTrollo added that, unfortunately, may times it takes a disaster and loss of lives to get any significant changes made.

2. Signal Booster Codes and Ordinances Committee

Commissioner Lawrence Wood reported that he has continued to work with Red Bank Fire Marshal Stanley Sickels on this matter. They are looking into getting this done through a code change, rather than legislation.

3. Furniture Flammability Committee

Commissioner Arthur Londensky reported that the members of this Committee have held several teleconferences to work on the issue of furniture flammability. The Committee has recently learned that the Fire Research Foundation is holding a blue-ribbon panel on Furniture Flammability with UL. The Committee is waiting to hear the findings of this panel to move forward.

H. Old Business

There was a lengthy discussion regarding the status of the Residential Sprinkler Coalition Committee. Commissioner Lightbody was emphatic in stating that this Coalition is a legitimate body with a wide range of representatives falling under the Master Planning and Research Advisory Council. Chief William Kramer suggested that, for the benefit of all involved parties, that this Coalition be officially recognized by the Fire Safety Commission as a Sub-Committee. Chairman Wisniewski did not feel that this was a necessary step to take, but agree to meet with Director Petrillo and Chief Kramer at a later date to discuss the matter further.

I. New Business

Commissioner C. Kenneth Anderson spoke about the idea of having the 25th Anniversary Celebration of the Fire Safety Commission coincide with a possible retreat of the Fire Safety Commission to discuss its goals and direction for the future. Chairman Wisniewski found this to be a good idea to have a joint celebration/retreat event. The Committee charged with planning of these events would be meeting immediately after today's meeting for anyone who would like to attend.

J. Adjournment

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting was adjourned at 11:24 AM.

*** The next meeting of the Fire Safety Commission will be on March 19, 2008 at 10am. It will be held at the Middlesex County Fire Academy in Sayreville, NJ. ***