

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

Meeting of July 20, 2016

The New Jersey Fire Safety Commission meeting was held on Wednesday, July 20, 2016 at the Toms River Fire Academy in Toms River, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Kevin Krushinski, Vice-Chairman
Mr. John Lightbody
Mr. Stanley Sickels
Mr. Lawrence D. Wood
Mr. Roger Potts
Mr. Gerard Naylis
Mr. Richard Blohm
Mr. Pasquale Intindola
Mr. Armando Roman

Commission Members Excused: Assemblyman Anthony Bucco
Mr. Daniel DeTrolio
Ms. Kathleen O'Leary
Mr. Arthur Londensky
Mr. Fred Collender

DCA Staff Members Present: William Kramer, NJDFS Acting Director
Lou Kilmer, NJDFS
Rick Farletta, NJDFS
Charles Lavin, NJDFS
Michael Scardino, NJDFS
Kent Neiswender, NJDFS
Jerry Clark, NJDFS
Frank Clark, NJDFS
Jason Spiecker, NJDFS
Michael Whalen, Codes and Standards

Guests: Ronald McGowan Jr., Wildwood Crest Fire Co.
John Garton, NJLWD/PEOSH David Kurasz, NJFSAB
Dave Fallon Craig Bierbaum, Ultimate Protection Group
Tony Correia, NFFF Larry Rauch, Bergen County Fire Academy
Carole Lightbody

A. Call to Order

Chairman John Wisniewski called the meeting to order at 10:09 AM. Chairman Wisniewski led the meeting with the Pledge of Allegiance, a moment of silence, and pointed out the fire exits.

Chairman Wisniewski thanked Commissioner John Lightbody and the Toms River Board of Fire Commissioners for hosting today's meeting and providing breakfast refreshments as well as lunch for all attendees.

B. Approval of Minutes

Commissioner Stanley Sickels pointed out that "Emmitsburg" had been misspelled in the minutes of the previous meeting. With no discussion requested or additional corrections, the minutes of the regular meeting of May 18, 2016 were approved.

C. Correspondence

Chairman Wisniewski noted that all correspondence for today's meeting is contained in the Fire Safety Commission packets. With no discussion requested on any of the items, the meeting was moved to Public Comment I.

D. Public Comment I

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

Larry Rauch from the Bergen County Fire Academy raised an issue from the previous meeting concerning the difficulties their instructors are having with Jones & Bartlett. He commended Chief Bill Kramer with helping to get fixed the previous issue, but Mr. Rauch said that their students and instructors are having a problem because there have been three separate books within a year. Chief Kramer said it was his understanding that all of this was already discussed at the Eligible Organizations meeting and it should come as no surprise. As far as the technicalities of the enhancements in particular chapters, it should be examined and discussed in detail through the Training and Education Advisory Council.

Commissioner Richard Blohm offered his apology, as it was he who had asked Mr. Rauch to attend today's meeting and speak on this issue. Chief Kramer and Commissioner Blohm then had a spirited debate as to whether it was appropriate to pursue this issue during the Public Comment portion of the Fire Safety Commission meeting, rather than have it go through the process of being discussed at the Training and Education Advisory Council level or at a meeting of the Eligible Organizations. Commissioner Blohm proceeded to cite instances in the newest textbooks where terminologies regarding searches and nozzles to be incorrect. Chairman Wisniewski said that while there is certainly no limitation to those wishing to make public comments and

the topics they address, it is more productive to use the expertise and the processes of the Advisory Councils to get the best results and most effective communication.

Dave Fallon spoke about several public comments that he had made in regards to the February 2015 code adoption proposal. The Department of Community Affairs had responded in the New Jersey Register in August 2015, with commentary that it would be forwarded to the New Jersey Division of Fire Safety. To this point, Mr. Fallon said this issue had not been raised at a Fire Safety Commission meeting and Chief Lou Kilmer said they had not received any correspondence on this issue. Mr. Fallon asked if perhaps this could be moved to the appropriate Advisory Council to get the ball rolling. Chief Kramer said he would take a look and forward it to all Commission members, and then the appropriate Advisory Council could examine it more closely. Chairman Wisniewski asked that Mr. Fallon forward whatever information he has to his Legislative Director who is in attendance today.

Tony Correia spoke briefly about the Fire & EMS Institute, respondersafety.com, and the new NFPA standard on highway protrol (new training module). Federal money is being offered for training of first responders improve safety on the highways – and to utilize their services in assessing this training. Mr. Correia also mentioned that there is an upcoming meeting of the Cumberland Valley Volunteer Firemen’s Association in Maryland, and encouraged anyone who could to attend. Mr. Correia also spoke about the recent line of duty death in Eatontown, where there were some problems with communication getting the word out. They will continue to work with the NJDFS on this and hopefully streamline the process. Anyone who is not on the list to be informed of line of duty deaths can contact him. Also, the newly-formed New Jersey First Responders Health & Safety Coalition has held a Summit and meeting and is moving forward with efforts to bring everyone together to develop/distribution the best information to reduce injury and line of duty deaths.

Commissioner Stanley Sickels addressed Dave Fallon in regards to comments made earlier and said there was a committee within the Codes Council working on that item. Commissioner Sickels said they would certainly benefit from his input on this and would correspond going forward.

Dave Fallon spoke about the issue of fire departments being assessed penalties for violations at fire stations (that are non-LHUs), and how many of those are being assessed multiple times for the same offenses. Mr. Fallon asked if there was a need to refocus on this area to ensure workplace safety for firefighters, and have these facilities included in inspections. Commissioner Pat Intindola said that, in his particular town they are inspected, but they are non-exempt. Chief Lou Kilmer said that the fire code absolutely applies to these facilities. In many cases they are non-LHUs, but if the town is enforcing the code locally they should be inspecting these buildings. If the State is enforcing the code, they are not required to inspect the buildings, but Chief Kilmer doesn’t disagree in the assertion that they should absolutely be inspected. Mr. Fallon suggested perhaps an article in Fire Focus call attention to this issue to put it in peoples’ minds. Commissioner Gerard Naylis asked if the Division of Fire Safety could follow up on these departments

were there are violations and find out what the fire official there is doing. Chief Kramer said they are not sure, in these cases, whether the fire official has issued violations or not but the NJDFS will look into it and proceed from there. Chief Kilmer spoke further about the towns where these types of issues surface, and in many cases it is where the fire official is under pressure from the appointing authority. Unfortunately the fire official does not have the protection or “tenure” and that precludes them from doing the job properly in some cases. Chief Kramer suggested there be some kind of justification given for the removal or non-reappointment of a fire official be sent to the Department of Community Affairs. This has been discussed in the past and Chairman Wisniewski agreed that it is certainly worth looking into some sort of protection for fire officials.

E. Division of Fire Safety Activities

Acting Director William Kramer began his report by talking about the 11th Annual NJ FIRE Bowl that took place at Kean University back in May. The program was extremely successful, got great coverage by News 12 New Jersey, and was won by Nicholas Oresko School of Bayonne. Also in May, the NJDFS and National Fallen Firefighters Foundation held the 1st Annual Firefighter Health and Safety Summit was held successfully at Middlesex County Fire Academy – and that body will now be holding a follow-up meeting on July 27th.

On June 2nd the NJDFS held its annual Homeland Security Conference at Kean University. The presentations included one by the newly-formed Fire Terrorism Task Force (part of OHS&P and FBI), and the Conference was extremely well-attended overall. At the previous Commission meeting, the Commission members approved the Solar Signage and the NJDFS has finished the proposal, is now moving through the approval process, and will soon be appearing the in New Jersey Register.

On June 7th, the NJDFS sponsored a one-day training class focusing on the transportation of ethanol, crude oil, and other flammable liquids by rail. This training, held at Middlesex County Fire Academy, was made possible by a grant from the Department of Transportation. Also, in September, the NJDFS will be participating with OHS&P on a tabletop exercise with CSX Rail. Staying on the railroad topic, there was an issue in Morris County where a railroad site was being used to store butane. The Regional Fire Coordinator, Bruce Tynan, had been asked to develop a fire response plan allowing the storage to continue at a limit of 100 cars. This August, Major Rick Farletta will be attending a Responder Outreach at the CSX Railroad Training and Education Institute in Atlanta, GA.

With respect to the current issue of police officer shootings, the NJDFS has been in contact with the FBI regarding planned protests in and around New Jersey. Also, the NJDFS has been dealing with Google Street View and their attempts to access and photograph fire stations for their database. In conjunction with OHS&P, it was determined that Google should not have access to the interior of fire stations for this purpose.

From a personnel standpoint, the NJDFS has revised its program that brings in inspection trainees. It is now an apprentice program that includes women and minorities and they will be starting in August. Chief Kramer also announced two retirements from the Division of Fire Safety – Senior Inspector Maggie Knight and NFIRS Supervisor Heather Allen. Both individuals were big parts of the Division and will be tough to replace. All NFIRS inquiries can be sent through Steve Hearn.

Chief Lou Kilmer was pleased to announce that the Annual Report re-vamp on the RIMS System has been completed. This is due in large part to the efforts of Pete D’Amore and Karen Luckie. Karen has even developed a tutorial for the program, and much of the improvements came from meetings and discussions with fire officials. This went live on July 8th and has worked well ever since. Also, the regulations for the CO detections where they weren’t previously required have been submitted jointly by the NJDFS and Codes & Standards.

The Division of Fire Safety continues to work on the inspection of non-Life Hazard Uses in the towns they inspect. Some of these places have never been inspected since Day 1, and the NJDFS is trying to do roughly 15% of them in a given year. Also, the 4th of July came and went without any major incidents, and that is a testament to the Division of Fire Safety staff and the local personnel who were diligent in ensuring public safety during this hectic time. The Division is also continuing to monitor Local Enforcing Agencies on a 5-year basis. As a part of that process, some fire officials have been found to be deficient and will be brought in for Peer Review.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Pat Intindola gave the Codes Advisory Council report and began by calling on Mike Scardino from the NJDFS to give a report on the side-by-side comparison of the 2006 and 2015 International Fire Codes. Mr. Scardino said that most of the chapters have been reviewed and they are now in the process of coordinating with Bob Davidson to prepare the proposal for adoption. This will be a painstaking process, but it is hoped that it will be able to move forward in the 3rd Quarter of the year and be ready for the New Jersey Register.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council met on June 21, 2016 at the Dempster Training Center in Lawrenceville. The minutes of that meeting are in the meeting packets, as are the April minutes that were missing at the prior meeting.

Commissioner Wood noted that, prior to the June meeting, he had reached out to all Training and Education representatives regarding any difficulties with Firefighter I and II training with Jones & Bartlett. He did receive one comment and forwarded it to Chief

Kramer. It was further discussed at the June meeting, and it mainly had to do with changes with pictures and graphics.

The Training and Education Advisory Council also address the issue raised by Mr. Masta at the last Commission meeting, and that problem was dealt with and resolved by NJDFS Training Supervisor Kent Neiswender.

Commissioner Wood pointed out that regulations not being adopted are becoming an issue for Training, and many important aspects are going by the wayside. The Training and Education Advisory Council is feeling the same frustrations as Codes when it comes to this issue.

The next meeting of the Training and Education Advisory Council is scheduled for October 18, 2016 at the Dempster Training Center.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the “Fire in New Jersey 2015” report has been posted on the Division of Fire Safety’s website. Commissioner Naylis commended Heather Allen and her staff on another job well done on the report. He also lamented the retirement of Mrs. Allen as she has made tremendous strides in statistics and information for the state’s fire service and will be sorely missed.

Commissioner Naylis took the opportunity to implore Chief Kramer to find and install an adequate replacement for Heather Allen as head of the NFIRS unit. In the meantime, the Statistics and Information Advisory Council will continue to work with Steve Hearn to push fire departments towards submitting complete and accurate data in a timely manner.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council met on June 6th at the Toms River Fire Academy. The minutes of that meeting are contained in the meeting packets. Commissioner Lightbody offered the following report on the meeting:

David Kurasz gave a full legislative report in regards to residential sprinklers and a discussion was held on how to go about advocating for the latest bills. There are now new Senate and Assembly Bills that they are supporting that includes many of the requirements that Assemblyman Wisniewski’s bill had. The numbers on the bills are S1632 and A3770. Chairman Wisniewski added that the new bills actually do have significant differences, as they take more draconian steps in response to the specific Avalon Bay situation.

Craig Bierbaum and Chuck Lasky spoke on behalf of the Membership Committee and reported progress with reaching out to new members who could potentially be more active in serving on the Master Planning and Research Advisory Council. Mr. Bierbaum

also spoke about the ongoing compiling on data from a survey of the fire service that was conducted to gauge which issues firefighters are finding the most challenging today.

A lengthy discussion was held on the disconnect between the different generations of firefighters that now comprise the fire service in New Jersey. There are stark differences in the mentality of the old guard as compared with the newer, younger members – which exceptions being few and far between. The members spoke about the need for a change in culture if the fire service, particularly on the volunteer side, is to thrive.

Commissioner Lightbody spoke about the possibility of partnering with and/or setting up a meeting with the League of Municipalities, to see what kinds of partnerships could be forged to help bolster the volunteer fire service. This could also serve to see what is working in certain areas, and what is not – as each municipality and department is an entity onto itself.

Commissioner Lightbody also spoke about departments in Florida that he is familiar with and how they are successful in recruiting and retaining firefighters to keep their ranks full. Although New Jersey is a different animal completely, the Chairman felt there are certainly elements that could apply and be implemented here. From the New Jersey Fire Prevention & Protection Association, Rich Silvia regrettably reported the passing of Jay Bender and spoke in high regard of his dedication to the fire service in his community, and throughout Bergen County and the state.

The next meeting of the Master Planning and Research Advisory Council is scheduled for this afternoon, July 20th, at the Toms River Fire Academy.

5. Public Education Advisory Council

In the absence of Commissioner Daniel DeTrollo, no report was given.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council met on July 13, 2016 at the Middlesex County Fire Academy. The minutes of that meeting are contained in the Commission packets.

Commissioner Blohm reported that the Department of Health had cited a volunteer fire department for facial hair. A discussion ensued regarding this issue and how it may play out given the rules regarding facial hair nationwide. Commissioner Blohm also spoke about a video that has surfaced from Blairstown where firefighters are wearing tank tops and an SCBA while fighting a fire. The Department of Health is also investigating that incident. Vice-Chairman Kevin Krushinski asked if there could be a follow-up report on these two incidents at a subsequent meeting. Commissioner Blohm answered that he would provide that follow-up barring an open investigation.

The Department of Labor has announced that it is lowering the acceptable silica airborne contamination levels, and this mostly concerns the concrete industry.

The next meeting of the Firefighter Safety and Health Advisory Council is scheduled for September 7th at the Middlesex County Fire Academy.

7. Youth Firesetter Prevention Advisory Council

Vice-Chairman Kevin Krushinski reported that there was no meeting of the Youth Firesetter Prevention Advisory Council held over the summer. However, the planning committee for the 14th Annual New Jersey Youth Firesetter Intervention Conference did meet to put together the program going forward. The theme will be “Fusing the Legal and Social Issues of Youth Firesetting” and is slated for December 1st and 2nd at the Middlesex County Fire Academy in Sayreville.

The next meeting of the Juvenile Firesetter Prevention Advisory Council is scheduled for September 8, 2016 at the Middlesex County Fire Academy at 10 AM.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that, unfortunately, the State Legislature seems to be grappling with several issues at the current time and residential sprinklers do not seem to be one of them. Commissioner Naylis also spoke about recognizing the need for fire safety amongst the views and concerns of various groups who are advocating politically in regards to residential sprinkler legislation.

H. Old Business

With no old business to discuss, the meeting was moved to New Business.

I. New Business

With no new business to discuss, the meeting was moved to Public Comment II.

J. Public Comment II

David Kurasz from the New Jersey Fire Sprinkler Advisory Board spoke briefly to suggest the possibility of an Ad-Hoc Committee to get out the vote for the upcoming International Codes Council initiative in October. Chairman Wisniewski suggested coordinating with Codes Council Chairman Pat Intindola on putting this together. Mr. Kurasz also announced that former Commissioner Lew Candura and former Commission Chairman Kelly had been inducted into the Fire Sprinkler Association Hall of Fame.

K. Adjournment

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 11:50 am.

*** The next meeting of the Fire Safety Commission will be on Thursday, September 15, 2016 at 10am. It will be held at the Wildwood Crest Fire Department in Wildwood Crest, NJ ***