

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

Meeting of May 21, 2014

The New Jersey Fire Safety Commission meeting was held on Wednesday, May 21, 2014 at the Middlesex County Fire Academy in Sayreville, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Kevin Krushinski, Vice-Chairman
Mr. Pasquale Intindola
Mr. Stanley Sickels
Mr. Lawrence D. Wood
Mr. Roger Potts
Mr. Fredrick Collender
Mr. Arthur Londensky
Mr. Kevin Bellew
Mr. Gerard Naylis

Commission Members Excused: Mr. Armando Roman
Mr. Daniel DeTrolio

DCA Staff Members Present: William Kramer, Acting Director
Lou Kilmer, NJDFS
Rick Farletta, NJDFS
Tim Weiss, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
James McFadden, NJDFS
Michael Whalen, Codes and Standards

Guests: John Garton, NJ Department of Labor
Alden Blackwell, Tenafly FD Doris Flatley, Somerset Co. Fire Academy
David Kurasz, NJFSAB Donald Scher, Somerset Co. Fire Academy
Ray Lonabaugh, NFSA Ronald McGowan Jr., Wildwood Crest Fire Co.
William Newberry, Wall FD #1 Craig Bierbaum, Pleasant Plains FD
Vincent Corsaro, Jefferson Twp. Fire Bureau

A. Call to Order

Chairman John Wisniewski called the meeting to order at 10:12 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of March 19, 2014 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 correspondence at this time, 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. There being none, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Acting Director William Kramer began his report by talking about two firefighter injury report that have been released by the Division of Fire Safety recently. They can be found at the NJDFS website for review. Chief Kramer also spoke about many presentations that the Division of Fire Safety has made recently on New Jersey's mutual aid system – including in Pennsylvania and the Eastern Division of the International Association of Fire Chiefs.

Chief Kramer announced the winners of the 2014 New Jersey Fire Safety Poster Contest that were selected at the state judging on May 12th. The winners were:

Division 1	Neel Chandwani Barclay Brook School Monroe, NJ	(Middlesex Co.)
Division 2	Alyssa Rozario Nicholas Oresko School Bayonne, NJ	(Hudson Co.)
Division 3	Gabrielle Marra Our Lady of Hope School Blackwood, NJ	(Gloucester Co.)
**Division 4 (overall winner)	Brandon Matos Belleville High School Belleville, NJ	(Essex Co.)
Division 5	Alexandra Ipsaro Ocean County Vo-Tech High School Toms River, NJ	(Ocean Co.)
Division 6	Celina Calix Martin Luther King Jr. School #11 Jersey City, NJ	(Hudson Co.)
Division 7	Cathrin Cruze Liberty High School Jersey City, NJ	(Hudson Co.)

The New Jersey Fire Prevention and Protection Association is currently putting together the Poster Contest Awards Luncheon and the grand prizes. Also, Chief Kramer and Charles Lavin will be meeting soon with Atlantic City Electric and CVS to discuss the printing of the 2015 New Jersey Fire Safety Calendars.

Chief Kramer spoke about the New Jersey FIRE Bowl Championship that took place on May 16th at Kean University. It was the 9th Annual installment of the program and the winners were from Dwight D. Eisenhower School in Freehold Township. Chief Kramer also reported that Charles Lavin would be traveling to the NFPA Conference in Las Vegas next month to do a presentation on the FIRE Bowl for the National Public Educators Network.

On June 19th the Division of Fire Safety will be hosting the annual Homeland Security Conference at Kean University. Chief Kramer said that three very dynamic keynote speakers have been booked for the event and encouraged the Commission members to attend if possible.

The New Jersey/Mississippi Weekend was held at the National Fire Academy and it was a successful experience. The date for next year's weekend, scheduled for June, has already been set and we will be looking to partner with Mississippi once again. Also, Chief Kramer announced that a meeting of the New Jersey Fire Prevention and Protection Association County Presidents is scheduled for June 13th at Middlesex County Fire Academy.

Chief Kramer announced that appointments to the Peer Review Committee have finally been made. Appointment letters were sent out last week. This is something the Division of Fire Safety has been trying to get done for some time.

Acting Director Kramer spoke about the IFSAC and ProBoard accreditations that the Division has received for Firefighter I and II, Fire Officer I and II, Hazmat Awareness and Operations, and Fire Instructor I and II. All of these programs are now dually accredited. Chief Kramer reported that there has been an issue with five southern New Jersey counties that had obtained ProBoard accreditation prior with NJDFS assistance. It was done with the understanding that once the Division of Fire Safety had gotten accredited, the whole state would fall under the same entity. These counties are now requesting to remain separate from the state, but the Division of Fire Safety's position is that there should be one entity in the state to run the accreditation process. Chief Kramer noted that the Fire Safety Commission voted unanimously back in May 2013 to support the Division's position on this. Chairman Wisniewski expressed his agreement with Chief Kramer and said that the Commission can hold a discussion and vote on this under New Business.

Commissioner Gerard Naylis asked for an update on the Deputy Chiefs Bill and Fire Extinguisher Bill. Chief Kramer said that he and the DCA Commissioner were required to make recommendations to the Governor on each of these bills. The recommendations were made on time, and now the legislature would need to go through the process to get

these bills to the Governor's desk. Chairman Wisniewski asked that the Division of Fire Safety request that their recommendations be shared by the Governor with the Legislature so they're not legislating in the dark. Without getting into detail, Chief Kramer said he was sure that the Commission would approve of the recommendations that were given.

Commissioner Stanley Sickels asked about the 2014 New Jersey Fire Safety Calendars and how many were distributed. Charles Lavin answered that the Division of Fire Safety received 5,500 calendars and distributed all of them. Going into 2015, Atlantic City Electric is already committed to doing 5,500 again – the addition of CVS as a sponsor for the calendars would presumably increase the amount of calendars printed.

Chief Lou Kilmer reported that, as Chief Kramer reported, the Peer Board Committee members have finally been appointed. The Division made a concerted effort to get a diverse group for this committee and the appointees are: Scott McCormick (Hamilton Twp), Samuel Infante (Bloomfield), and David Hanlet (Leonia/Oradell). The alternates are: Patrick Rinaldi (Manville) and Frank Lafferty (Haddon Heights).

Chief Kilmer said the Division of Fire Safety is gearing up for the Special Olympics, which is being hosted by Mercer County, New Jersey this year. This is a large national event and the Division has been involved in much of the planning and ensuring it's a safe and successful event.

The RIMS system is moving along very well and updates are continuously being done – three in this past month alone. CGI – the company that has developed the system – has been very responsive and helpful when the various issues and bugs become known. The Annual Reports were done using the RIMS system this year and it was a tremendous success. Also, towns where funding was withheld (because of inspections not being done) were notified of this. Not only because of the money that they could be getting, but more importantly it is a health and safety issue and the inspections need to get done. Chief Kramer added that the Division of Fire Safety is in the process of moving the RIMS server onto the Cloud, and it should be completed by this summer.

Chief Lou Kilmer spoke about the Division of Fire Safety inspecting non-life hazards uses in all their municipalities where they are the local enforcing agency. This was done at the direction of Chief Kramer and stemmed from a couple of fires in Point Pleasant and Lumberton. The Division began with the seasonal ones, and amount of violations that were found were frightening, astounding, and the conditions were disgraceful at best. Some places were brought up to code, others were shut down completely. Chief Kramer added that there are some major issues out there with code enforcement in some communities. Clearly many inspections are not getting done in these places for years (if at all), and a lengthy discussion took place on this particular problem. In many cases what the Division of Fire Safety found was not only a fire problem, but disgusting and inhumane conditions. Commissioner Roger Potts asked if any fees were being collected for these inspections and Chief Kramer answered there was not from the Division's end. Chief Kilmer added that the neglect in these buildings goes beyond fire safety issues. Other agencies have clearly not inspected these places, where children were living in

deplorable conditions that had been neglected for some time. Buildings were falling apart, mold everywhere, etc.

On this issue, Chairman Wisniewski added that the town would not be held liable for an incident in a building where inspections had not been done. He asked the Fire Safety Commission their thoughts on whether this should be changed. Commissioner Stanley Sickels cited a situation where an individual could be held liable where they had a duty to act and did not do so. Chief Kramer said that there are many agencies not doing their due diligence in these cases, but there is no requirement (at least in terms of a time frame) for fire inspections to be done in non-life hazard uses. Chief Kramer feels the problem is across the board. Commissioner Arthur Londensky said that all buildings should be considered non-life hazard uses and the nomenclature should be changed. Chairman Wisniewski said it is very difficult, in terms of the law, to hold municipalities liable for these types of things – but exceptions can certainly be made in extreme cases. A lengthy discussion took place on how to remedy this, including possible legislation regarding fire insurance, inspection requirements, etc.

Commissioner Sickels added that a factor in this equation is that the inspectors do not have job protection, so they are subject to political influence. He expressed the need for some sort of “tenure”-like protection for the inspectors, as well as culpability if their job is not properly done. Commissioner Kevin Bellew expressed concern with guests/tourists coming into the state with Memorial Day Weekend approaching. Chief Kramer said that the inspections are on schedule to be completed in the Division of Fire Safety’s towns before Memorial Day Weekend. With respect to job protection for inspectors, Chief Kramer suggested the possibility of legislation requiring some sort of review process to justify the dismissal (or not reappointing) of a fire official.

Commissioner Londensky asked, in the wake of multiple fires lately due to careless smoking, whether the Fire-Safe Cigarette Act has failed. Chief Kramer explained that, despite some high-profile incidents, the overall amount of fires due to careless smoking has gone down. The Division of Fire Safety is continuing to work with Massachusetts on doing random sampling and testing of cigarettes in private labs – this would further ensure that the cigarettes sold in New Jersey are as compliant as possible.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Pat Intindola reported that the Codes Advisory Council met on April 16th at the Middlesex County Fire Academy. The minutes from that meeting are in the packets and Commissioner Intindola thanked new secretary Jerry Clark for doing a great job on them. The “All Hazards Building Information Sign” was sent back to the committee that has been working on this issue, as was directed by the Fire Safety Commission at the March meeting.

Commissioner Intindola reported that the Codes Advisory Council had a lengthy discussion about mulch fires, in particular one that recently occurred in Connecticut. The mulch issue will ultimately be looked into as part of the larger issue of proposals that have yet to move forward. All of the pending legislation was discussed, and a Committee will be examining the numerous bills that are out there related to fire. This is to avoid a situation like in the past where the Fire Extinguisher Bill was able to slip through the cracks.

The Codes Council also talked about Alarm Requirements in R-1 Structures. Stemming from the motel fire in Point Pleasant Beach where three people were killed, it was suggested that the Council take up the issue of requiring hotels and motels to install sprinkler systems.

Commissioner Intindola also mentioned a product called “Fireman In A Can” – a non UL-approved item that is placed above a stove and puts fire out using dry chemicals. The Codes Council will be looking into this item further.

The next meeting of the Codes Advisory Council is scheduled for June 18th at Middlesex County Fire Academy at 10 am.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported the Training and Education Advisory Council met on April 15th and the minutes of that meeting are contained in the Commission packets. The Council is still having a general problem with attendance and they are looking into how to bolster the roster going forward. The Council has not had a quorum in over a year now. Chairman Wisniewski said that attendance seems to be an issue across the board and suggested that maybe they should change the quorum requirements.

The next meeting of the Training and Education Advisory Council is scheduled for June 17th at the Dempster Fire Training Center in Lawrenceville.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the NFIRS Unit is continuing to collect data and the staff is already working on the 2013 Fire in New Jersey report. The Statistics and Information Advisory Council will be meeting prior to the next Commission meeting to review data.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the most recent meeting of the Master Planning and Research Advisory Council was canceled due to the fire sprinkler hearings.

The next meeting of the Master Planning and Research Advisory Council is scheduled for June 2nd at the Toms River Fire Academy.

5. Public Education Advisory Council

In the absence of Commissioner Daniel DeTrollo, Charles Lavin reported that a meeting was held on May 7th and the minutes are contained within the Commission packets. Chief Kramer covered the Poster Contest and FIRE Bowl under 'Division of Fire Safety Activities. Mr. Lavin added that he has been working on a presentation of the New Jersey FIRE Bowl for NFPA's National Conference, and has collaborated with News 12 New Jersey (on video) and Kean University (on giveaway items).

The next meeting of the Public Education Advisory Council is scheduled for Wednesday, July 9th 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

Vice-Chairman Kevin Krushinski reported that the Juvenile Firesetter Prevention Advisory Council met on May 15th at the Middlesex County Fire Academy and the minutes of the meeting are in the Commission packets.

The Council discussed 'Fire Is', which is not getting the amount of hits on the website that they had expected. The funding for this is now mostly picked up by St. Barnabas and 'Fire Is' is now endorsed nationally by the National Association of State Fire Marshals. Also, smoke detectors from the Operation Save-a-Life program have been received and are stored in a warehouse on the campus of Montclair State University. They will be distributed shortly on a county-by-county basis.

Commissioner Krushinski spoke about the Parents Legal Responsibility Pamphlet and it was recently discovered that there was an older, archived version of this from Connecticut. Now it is a matter of working with the Attorney General's Office to make sure it is all correct and appropriate for distribution.

The 12th Annual Juvenile Firesetter Intervention Conference is currently being put together by Paul Elenio, and it is set for December 4th and 5th at the Middlesex County Fire Academy. If anyone has any ideas/suggestions for presenters or courses, please contact Mr. Elenio. The theme this year is social media.

The next meeting of the Juvenile Firesetter Prevention Advisory Council is scheduled for September 4th at the Middlesex County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis said the Committee is eagerly awaiting the vote on Assembly Bill 1698 and hopefully it will successfully be passed onto the Senate. Chairman Wisniewski said they are shooting for getting it done by June 30th.

Commissioner Pat Intindola said a letter was sent to all mayors to ask for their support of this bill. Several mayors have responded positively to the letter and are in support of the bill. Rich Silvia said they are hoping to receive even more positive responses and document those so that it may help in pushing the legislation along.

H. Old Business

Commissioner Wood thanked the Division of Fire Safety staff for providing the Commission with the legislative report. He said the document is extremely useful in allowing the Commission members to keep an eye on things legislatively related to the fire service.

Commissioner Naylis said that although the Fire Safety Commission has tabled the potential meetings on the Seaside and Delanco fires, he suggested they still work in a proactive manner and examine these incidents via a hearing. Chairman Wisniewski said that he agrees but, as discussed, many individuals who are vital to the fact-finding process on these incidents would be unable to provide answers because of the pending litigation. Commissioner Sickels said that a comprehensive list of questions from the Codes Advisory Council was sent to the Division of Fire Safety to forward to the investigating authorities of both incidents. Chief Kramer said that the questions were forwarded and most, if not all, of the questions will be answered once the reports are finally released.

I. New Business

Commissioner Arthur Londensky made a motion that the Fire Safety Commission support the Division of Fire Safety's position that they be the sole provider of firefighter training and education in the State of New Jersey. Commissioner John Lightbody seconded the motion and it passed unanimously. Commissioner Stanley Sickels stressed the need to keep the approval process and standards uniform for the purposes of mutual aid. Chairman Wisniewski echoed this sentiment that the fire service in New Jersey would only benefit by everyone being on the same page.

Commissioner Kevin Bellew called the Commission's attention to something that was found at Riverside Square Mall where false sprinkler heads were being used to house hidden cameras. The sprinkler heads, which were not hooked up to water at all, would be hung from the ceiling and looked completely legitimate to someone viewing from the floor. Chief Kramer said he had never seen anything like this and would look into it

further. Commissioner Bellew gave a sample of the false device to Chief Kramer and suggested that a bulletin possibly be put out so that the fire service could be aware.

Chief Kramer reported that the bidding process for providing Firefighter I books had recently ended. Treasury has award it to Jones & Bartlett and that will be in effect for the next five years.

Chief Kramer also spoke about an ongoing issue with Bakken crude oil being transported throughout New Jersey. It is an extremely volatile fuel and it is constantly in motion throughout many, many municipalities around New Jersey. The Federal DOT recently put out a directive as related to this fuel. The Division of Fire Safety is not as involved as they would like to be on this, but they are working with the Department of Environmental Protection on addressing the issue. One problem is that there are simply not enough tanks out there - that are up to the current standard – to move it safely. The Bakken crude is currently being moved from Albany, NY, through Bergen County and down into Linden. There have been four major incidents in the country so far. Commissioner Wood added that, up in Bergen County, there is talk of building an underground pipeline along the same line the Bakken crude is currently traveling.

Chairman Wisniewski appointed Commissioner Stanley Sickels as Vice-Chairman of the Codes Advisory Council.

J. Public Comment II

Ray Lonabaugh from the National Fire Sprinkler Association spoke briefly about the Bakken crude issue and offered his assistance because Pennsylvania is loaded with it. There are also pipelines under the ground everywhere there, so they have a degree of experience with it.

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 11:35 am.

*** The next meeting of the Fire Safety Commission will be held on Wednesday, July 16, 2014 at 10am. It will be held at the Toms River Fire Academy in Toms River, NJ ***