

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

Meeting of September 14, 2023

The New Jersey Fire Safety Commission meeting was held on Thursday, September 14, 2023 at the Wildwood Crest Volunteer Fire Department in Wildwood Crest, NJ.

Commission Members Present: Mr. Kevin Krushinski, Chairman
Asm. Kevin Rooney
Mr. Steve O’Gorman
Mr. Fred Collender
Mr. Charles Siedenburg
Mr. Charles Maria
Mr. Kevin Bellew
Mr. Lawrence Wood
Mr. Arthur Hayducka
Mr. Paul McGrath
Ms. Kathleen O’Leary
Mr. Nelson Wiest
Mr. Armando Roman
Mr. George Aleu
Mr. Gerard Naylis

Commission Members Excused: Mr. Arthur Londensky, Vice-Chairman
Mr. Richard Blohm
Mr. Karl Spinner

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Louis Kilmer, NJDFS
Bruce Tynan, NJDFS
Timothy Weiss, NJDFS
Charles Lavin, NJDFS
Gregory Kirkham, NJDFS
Dan Timmerman, NJDFS
Chris Barrella, NJDFS
Rod Meyer, NJDFS
Steve Taylor, NJDFS
Timothy Paar, NJDFS

Guests:
Ronald McGowan Jr. Charles Lind Jr. Brian Kubiel
Matthew Janora Bernie Cunningham Michael Whalen
Stanley O’Brien Jr. Elizabeth Sweeney Paul Dansbach

Alan Querec
Jacob Spiegel
Tom Simpson
Vito DiMarco
Stuart Blank
Brian Wahler
Thomas Scalera
Daniel Speigel
Lewis Ostrander

Matthew Levine
Mike Johnson
Chad DiGiorgio
Tracy Kilmer
Nick Lombardi
Daniel Dunn
Dave Bannon
Jim Yates
Wayne Matthews

Jim Burleigh
Joseph Rabore
Bernie Walker
Conrad Johnson
Michael Neill
Vincent Corsaro
Steven P. Iureto
Christopher Burnett
John O'Leary

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:02 AM. He led the meeting with the Pledge of Allegiance and a moment of silence for those lost in the line of duty and the men and women serving our nation overseas.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of July 19, 2023, were approved as submitted. Assemblyman Kevin Rooney made the motion to approve. The motion was seconded by Commissioner Nelson Wiest and passed unanimously.

C. Correspondence

Chairman Krushinski noted that any and all correspondence for today's meeting was contained in the Commission packets. Secretary Charles Lavin noted that the Youth Firesetter Prevention Advisory Council minutes from September 13th were not able to be prepared in time for the meeting, so they will be distributed electronically at a later date.

D. Public Comment I

Chairman Krushinski opened up the meeting to any members of the public present wishing to address the Commission. With no members of the public wishing to address the Commission at this time, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Director Mikutsky began his report by regretfully reporting on the death of Lt. Governor/DCA Commissioner Sheila Oliver. This is certainly a blow to the Department and the State of New Jersey, but the transition to Acting Commissioner Kimberly Holmes has been seamless thus far.

Director Mikutsky reported that, since the last Fire Safety Commission meeting, NJDFS staff has been working with the Attorney General's Office on the re adoption of the

Deployment Act. A Notice of Readoption with the Proposed Amendments has been prepared. These rules expire on September 19, 2023, and must be filed with the Office of Administrative Law by that date. Some minor clean up language has been proposed.

Senate Bill 3671 was signed into Law by Acting Governor Scutari on August 28th. This allows a municipality to determine if an appointed individual serving as a municipal fire department chaplain will hold rank and receive salary and benefits. The NJDFS has also been conducting numerous meetings on shipboard firefighting for land-based firefighters. Staff has been meeting with the Tri-State Maritime Safety Association and Port Security Specialists from the U.S. Coast Guard Sector New York to secure training, grants, and to expand the role of the current Fire Boat Task Force which is made up of 12 fire departments. The goal is to secure training that conforms to NFPA 1405 and 1005. The NJDFS has also been in discussion with the FDNY on training and mutual aid procedures moving forward.

Director Mikutsky reported that, earlier this month, the Fire Service Recruitment and Retention Committee met. Training requirements seemed to be the main topic of conversation. The Committee was formed through legislation and these meetings began a couple of months ago, chaired by Senator Oroho.

On August 25th, Director Mikutsky and Chief Kilmer attended the New Jersey Firefighter Museum Coalition meeting at the NJ Fire Museum in Allentown. There was a Lengthy discussion on promoting the museum and construction of the memorial. The NJDFS is also working with the Office of Homeland Security & Preparedness on lithium-ion and electric vehicle fire PSA's. The NJDFS is promoting these to the first responder community and looking towards private sector audiences.

Director Mikutsky reported that the NJDFS will be present at several upcoming events. This week staff will be at the Wildwood Convention Center at the NJDFS booth. Also, the NJ State FMBA will be holding their annual convention at the Hard Rock Hotel & Casino next week. NJDFS staff will have their booth there on September 19th and 20th. Lastly for the month, the Governor's Conference on Housing & Economic Development will be held at Harrah's Waterfront Conference Center in Atlantic City. NJDFS staff will have their booth there on September 29th and 30th.

From the Office of Fire Department Preparedness, Director Mikutsky reported that for the CODES project, the NJDFS secured server is operational and six counties are migrating to the server. The Office of Fire Department Preparedness is also working towards a statewide standard in the Active shooter training. This Program will include ASIM (Active shooter incident management) LASER-law enforcement tactical program, ATIRC-tactical first aid, and SSAVIEM-school reunification. This working group meets bi-weekly.

The Foam Take Back Program has been reinstated with the NJ Department of Environmental Protection. A program letter and a new foam survey to be distributed with a November 1, 2023, response deadline. Collection dates will be scheduled for

Spring 2024. Funding for this will be recovered from pending lawsuit with 3M. The Office of Fire Department Preparedness is also going through the process to acquire a truck and logistics/command trailer from the Federal Department of Homeland Security.

From the Office of Training and Certifications, Director Mikutsky reported that the Fall 2023 Semester Brochure has been posted on the Kean and NJDFS websites. Registration began on September 6, 2023, and classes start on September 20, 2023. Registration for each course ends 24 hours prior to class start. Students may register for 6 class max. Also, the NJ Department of Transportation has announced the release of the NJTIM self-guided online training now available on www.NJTIM.org. A flyer for this is contained in today's meeting packets.

Director Mikutsky reported that Firefighter 2 Written Equivalency Exams are running throughout the state. Also, the HazMat SME group is getting together to reverify all written questions and Skill Sheets to the new NFPA 470 Standard.

There was an Office of Administrative Law Settlement Hearing on Tuesday, September 12, 2023, regarding the revocation of a certification of the chief of Maple Shade. Also, there will be an ICS Advisory Group meeting at the ROIC on September 21, 2023, starting at 1pm.

Director Mikutsky reported that the NJDFS and Kean will be offering several Train-the-Trainers this fall. They will be:

- *RIC (Rapid Intervention Crew) (4-hr classroom – 4-hr drill ground reviewing safety procedures)
- *HazMat: Technician
- *HazMat: Incident Commander

Director Mikutsky reported that the Community Risk Reduction Unit is working on the 2024 NJ Fire Safety Calendars. They will be on hand for distribution starting at the League of Municipalities in Atlantic City in November. Big thank yous to Sprinkler Fitters Local 696, New Jersey Fire Sprinkler Advisory Board, City Fire, and Atlantic City Electric who have all committed to sponsor the calendar printing for 2024.

Registration for the 20th Annual New Jersey Youth Fire Setting Intervention Conference will open on September 25th. A flyer for that event is in the meeting packets today. Registration will be available on www.keanfiresafety.com. The event takes place November 30th & December 1st at Middlesex County Fire Academy. Also, the Summer 2023 Fire Focus is available on the NJDFS website. The Fall 2023 edition is on scheduled to be posted and distributed on November 1st.

From the Arson Investigations Unit, Director Mikutsky reported that there have been approximately 235 investigations to date in 2023. There has been an apparent increase recently in fires due to discarded cigarettes/careless smoking - including multiple fatal fires and a few large loss multi-dwelling properties. "Fire Safe" cigarettes are igniting

dried vegetation and light combustibles after prolonged periods in optimal weather conditions.

It was determined that the Buena (Atlantic Co.) multi-fatal house explosion was due to an illegal fireworks production operation. The investigation revealed that the home was recently on the radar of local law enforcement for this reason, but no actions were taken prior to the incident.

In the northern region, K-9 Murry should be fully certified by the end of September. He has completed hundreds of training hours and is proficient in over 20 ignitable liquids in both raw and burned stages. Training was done in-house with unit staff and supervised monthly by a contracted trainer. Last month, the NJDFS obtained a Labrador puppy - "Remi". She has begun basic obedience and ignitable liquid training. She appears to be progressing nicely and will eventually fill the void left by the sudden passing of K-9 Titan in the central region.

From the Division of Fire Safety's NFIRS Unit, Director Mikutsky reported the following statistics for 2023 so far:

Civilian Burn Reports: 341

Total Fatal Fire Reports: 51

Residential Fatal Fires: 40

School Fire Reports: 56

Electric Vehicle Fires: 1 (since July 24)

Lithium-Ion Battery Fires: 24 (includes e-bikes/scooters/hand tools since July 24)

Only 445 fire departments out of 704 fire departments have reported NFIRS for 2023 to date. Notification Letters were sent in mid-August to the Chiefs of the Fire Departments that have not reported any NFIRS for 2023.

Director Mikutsky also noted that there are two upcoming NFIRS/Fire Incident Report Writing trainings schedule: October 7th (Ocean County Fire Academy) and October 14th (Atlantic County Fire Academy).

In regard to the issue of legalized cannabis, the NJDFS has had internal discussions about notifying our Eligible Organizations of a zero-tolerance policy for the use of cannabis. After those conversations, Director Mikutsky reached out to NJ Cannabis Regulatory Commission Director Jeff Brown to set up a meeting to discuss their regulations. This will be scheduled in the near future. The New Jersey State FMBA has also reached out to the NJDFS to discuss their thoughts and concerns on the matter.

Bureau Chief Lou Kilmer began his report by talking about the new computer system, which is up and running and operating very well. The first rebates that were processed using the system successfully went out, so that process will continue in the same way going forward. Some rebates were withheld due to the municipalities not authenticating a user on a new system.

Chief Kilmer spoke about the upcoming Annual Reports season and the question has come up if there are any provisions or statutes in the regulations to allow for late submissions. There is not, so there will have to be a zero-tolerance policy and Annual Reports will need to be in by January 31st. Chief Kilmer added that, with the new computer system, fire service contractors will be able to upload all of their reports automatically. Fire department access to the new system will mostly likely begin next week. Chief Kilmer said that this is a big step forward from RIMS, especially considering the amount of data clean-up that the NJDFS has done to ensure the new system's accuracy.

Chief Kilmer reported that the comment period for the new 2018 Fire Code, and all comments have been responded to. However, given a couple new layers of review, there are still a few more steps to go before adoption. Staff will start working on the 2021 Fire Code as soon as the adoption notice for the 2018 Fire Code comes out. The NJDFS is also looking to bring on staff to start doing judgments on places that are not paying their life hazard use fees. The local assistance unit has also been extremely busy with numerous ordinances to review, shared service agreements, etc.

Chief Kilmer gave an update on a class that would cover changes of use at a given building. This class – the idea for which came from the NJ Fire Safety Commission – will be piloted with NJDFS staff then rolled out the following semester (Spring 2024).

Chief Kilmer reported that there is new legislation on smoke dampers and the NJDFS has been actively engaged in this. The NJDFS has also been working on changes to the Fire Safety Act. Chief Kilmer also mentioned the ongoing staff shortage, which is being felt across all professions – not just the fire service. This is becoming a real problem and is beginning to impact the NJDFS's ability to get everything done. The NJDFS has not had much luck in recent years attracting viable candidates.

The School Fire Suppression Survey is still ongoing and is now well past the half-way mark. Unfortunately, the progress has slowed down somewhat recently, so the NJDFS will be working with the Department of Education to get that moving along again. The NJDFS has also met with the Food Truck Committee, led by Commissioner George Aleu, and drafted a Bulletin on this issue. They are also continuing to work on the issue of mobile fueling trucks, which see an uptick in the summer with the fueling of boats along the Jersey Shore.

Chief Kilmer reported that Paul Elenio of the NJDFS's Local Assistance Unit Supervisor retired recently. The NJDFS thanks him for all his hard work over the years and wishes him a happy retirement. Chief Kilmer also reported that the NJDFS is working on changes to training regulations related to Fire Official and Fire Inspector requirements, as well as the Junior Firefighter requirements.

Assemblyman Rooney asked about when the 2018 Fire Code would be approved, specifically related to the time of year it would be done because of the mulch issue. His point being that mulch is generally put down in the spring and it would be important that

the regulations are in place so it can be done right the first time. Chief Kilmer answered that this is a good point, but there will be a period of time allowed get compliant with the new code. A discussion followed about how to get this implemented as efficiently as possible in a way that works for everyone involved. Commissioner George Aleu and Commissioner Paul McGrath followed up with a questions about the upcoming adoption of the new code and implementation of the new computer system.

With no additional questions raised regarding Division of Fire Safety Activities at this time, the meeting was moved to Advisory Council reports.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner George Aleu reported that the previous meeting of the Codes Advisory Council had been canceled. However, Chief Kilmer sufficiently covered all code related issues under his NJDFS Activities report prior. The next meeting will be scheduled for October.

2. Training and Education Advisory Council

Commissioner Nelson Wiest reported that the Training & Education Advisory Council met on August 21st at Kean University. He thanked the Kean staff for their hospitality in hosting that meeting for the Council.

Commissioner Wiest reported that the Training & Education Advisory Council are working on streamlining/realigning their committees and working to get in touch with their members to make sure they are still active and participating. Commissioner Wiest also reported that the Council will be working on a professional development plan to cut down on some confusion and make sure that the fire service at-large understands all the requirements for all positions as they progress throughout their careers.

Commissioner Wiest noted that the NJDFS's Training & Certifications Unit has been inundated with Hazardous Materials and Hazardous Materials: Incident Commander applications. They are receiving these at a high volume and are working diligently to work through them. Commissioner Wiest also noted that the Training & Education Advisory Council minutes from the previous meeting have been made available in the Commission packets and he would address any questions anyone may have on the matters discussed.

The next meeting of the Training & Education Advisory Council is scheduled for October 17th at a location to be determined.

3. **Statistics and Information Advisory Council**

Commissioner Gerard Naylis spoke about the USFA's changing to a new reporting system, effective next year. They will be moving from NFIRS to a new system called NERIS. Commissioner Naylis hopes that this will be a positive for the fire service and told those present to look for more details coming from USFA in the coming year. Commissioner Naylis also thanked Director Mikutsky for providing the most up to date statistics from the Division's NFIRS Unit during his report.

4. **Master Planning and Research Advisory Council**

In the absence of Commissioner Raymond Heck, no formal report was given.

5. **Public Education Advisory Council**

Commissioner Paul McGrath reported that the Public Education Advisory Council did not have a formal meeting since the previous Fire Safety Commission meeting. There is a meeting scheduled for October 5th at Union County Fire Academy in Linden. Commissioner McGrath noted that the Public Education Advisory Council is still actively seeking new members and asked the Commission members present to spread the word.

6. **Firefighter Safety and Health Advisory Council**

In the absence of Commissioner Richard Blohm, no formal report was given. The minutes from the previous meeting have been included in the Commission meeting packets for all to review.

7. **Youth Firesetting Prevention Advisory Council**

Commissioner Kathleen O'Leary reported that the Youth Firesetting Prevention Advisory Council met on September 13th at the Wildwood Crest Volunteer Fire Department. Since the meeting was held just yesterday, the minutes are not yet available for distribution. They will be sent electronically once they are prepared.

Commissioner O'Leary reported that New Jersey hosted the National Fire Academy's pilot course – "Youth Firesetting Interviewing & Educational Interventions" – on August 16th and 17th at the Monmouth County Fire Academy. Eighteen students from New Jersey, and three from New York, were the first in the country to take the class, which will be the third offering from the National Fire Academy along with Program Manager and Intervention Specialist.

Commissioner O'Leary reported there was discussion regarding youth firesetting intervention screenings and the continued use of the Fineman Tool as the accepted method that is to be used in New Jersey, which it is. Commissioner O'Leary also reiterated Director Mikutsky's announcement that registration for the 20th Annual New Jersey Youth Firesetting Intervention Conference is now open: www.keanfiresafety.com

The next meeting of the Youth Firesetting Prevention Advisory Council is scheduled for November 9th.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that there is nothing new regarding Residential Sprinklers at this time.

2. Ad-Hoc Committee on Legislation

Commissioner Kevin Bellew reported that the Ad-Hoc Committee on Legislation met on July 19th and he provided a report for the Fire Safety Commission meeting packets. Commissioner Bellew spoke about an NFPA report on lithium-ion batteries from November 2022. He urged the members to review this report, as it is important to be well-versed on this growing problem going forward.

3. NJ Statewide Utility Safety Team

Commissioner Steve O’Gorman reported that the NJ Statewide Utility Safety Team has trainings available on the NJLearn website. The courses available from NJSUST Gas Emergencies Training include one for Law Enforcement, one for Fire Service, one for EMS, and one for Dispatchers. To date, nearly 3,500 students have completed these courses collectively.

4. Cannabis Committee

Assemblyman Kevin Rooney reported that there had not been a meeting of the Cannabis Committee since the last Fire Safety Commission, but he spoke on the topic of firefighting recruits coming to training under the influence of cannabis. A discussion took place regarding how to legislatively give academies the ability to dismiss anyone reporting under the influence, and also how to make that determination in the first place.

Commissioner George Aleu asked if anyone was looking into, not only this issue at the academy, but the possibility of on-duty firefighters entering a job scene and being exposed to cannabis products. Chairman Krushinski suggested that, in such a case, a firefighter should fill out an injury/illness report to make sure they are protected.

H. Old Business

Chairman Kevin Krushinski asked if anyone had any Old Business to bring before the Commission. Commissioner Armando Roman addressed the Fire Safety Commission and asked if anyone had any comment on the correspondence he had sent to all members electronically via the Commission Secretary. The topic of Commissioner Roman’s

memo was the growing problem of lithium-ion batteries/electric vehicles in New Jersey and what could be done about it. Assemblyman Rooney led a discussion took place centered around potential legislation, firefighter training, and regulating these devices from a code perspective. Assemblyman Rooney stressed that this is something that will become more and more prevalent, and we must prepare for it from a fire perspective. He cited Governor Murphy's push for electric cars heading into the next decade. Commissioner Roman also suggested putting together some kind of live demonstration with the lithium-ion batteries, similar to what is done annual with the Christmas trees, etc. Director Mikutsky said he was unsure of whether they had the resources for such a demonstration which, some of the time, does not even work when you try and set it up. For now the focus is pushing out information and developing training to combat the issue.

Commissioner Naylis requested an update on the Junior Firefighter regulations. Chief Kilmer said that the NJDFS is in the process of reviewing the regulations and then they will continue through the same process of adoption like all other regulations going forward. Director Mikutsky added that the legislation allows for junior firefighter programs to continue and the eligible organizations were made aware of this last October when the legislation was passed.

With no additional Old Business to be discussed at this time, the meeting was moved to New Business.

I. New Business

Chairman Kevin Krushinski thanked the Wildwood Crest Fire Department for hosting today's meeting, as well as the Cape May County Fire Prevention Association for providing coffee and refreshments.

Chairman Krushinski reported that, on November 20th, the annual Christmas Tree Burn Demonstration will take place at Monmouth County Fire Academy in Freehold at 9:00 AM. This will also include a turkey fryer demonstration and they will try and include something regarding lithium-ion battery fires as well.

Commissioner Naylis called attention to two bills he asked to discuss under New Business. The first was a bill requiring an exorbitant amount of hours of training for someone to do a smoke damper inspection. Commissioner Naylis cited this as a bill that would not be good for the public or for the fire service.

The second bill Commissioner Naylis asked to discuss was concerning the burning of Christmas trees. This bill (S-861) would allow for municipalities to hold annual Christmas tree burning events in order to get rid of the trees at the conclusion of the holiday season. Commissioner Naylis stated that this is both unsafe and environmentally unfriendly and made a motion that the Fire Safety Commission send a letter to the Governor requesting he veto the bill. The motion was seconded by Commissioner Kathleen O'Leary and passed unanimously.

There being no further New Business to conduct at this time, the meeting was moved to Public Comment II.

J. Public Comment II

Chairman Krushinski opened up the meeting for members of the public to comment for the second time. Vincent Corsaro from Jefferson Township commented on electric vehicle fire reporting and asked that boats, jet skis, and various toys be included in this – because this is what they are seeing up at the lakes. Director Mikutsky asked that Mr. Corsaro send him an email on this so that he can get it addressed. Mr. Corsaro also spoke about the issue of towing electric vehicles and asked that guidelines be set for how to handle this after an emergency incident on state highways. Mr. Corsaro also asked Chief Kilmer to be aware of the volume of user logins that the new computer system can handle, as more and more people are going to be using the system soon.

Jim Yates announced that the National Fallen Firefighters Foundation would be holding a “Beach Bash” fundraiser tomorrow night – tickets will be available at the organization’s tent at the Wildwood Convention. The event raises funds for a great cause and is set for 7pm the following night.

Chairman Krushinski asked if anyone else from the public wished to comment at this time. There being none, the meeting was moved to Adjournment.

K. Adjournment

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Commissioner Gerard Naylis made the motion, which was seconded by Commissioner George Aleu and passed unanimously. The meeting adjourned at 11:13 AM.

#####