

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

Meeting of January 21, 2009

The New Jersey Fire Safety Commission meeting was held on Wednesday, January 21, 2009, at the Camden County Fire Academy in Blackwood, NJ.

Commission Members Present: Mr. Pasquale Intindola, Vice-Chairman
Mr. Charles W. Schilling
Mr. C. Kenneth Anderson
Mr. Arthur Londensky
Mr. Daniel DeTrollo
Mr. Paul Hartstein
Mr. Arthur Mercurio
Mr. John Lightbody
Ms. Kathleen O’Leary
Mr. Lewis Candura
Mr. Steve O’Gorman
Mr. Fredrick Collender
Mr. Roger Potts
Mr. Kenneth Swider

Commission Members Excused: Assemblyman John Wisniewski, Chairman
Mr. Lawrence D. Wood
Mr. Richard Blohm
Mr. Gerard Naylis

DCA Staff Members Present: Lawrence Petrillo, State Fire Marshal
William Kramer, NJDFS
Lou Kilmer, NJDFS
Chris Eckert, NJDFS
Charles Luxton, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
Janet Dunigan, NJDFS
Rick Farletta, NJDFS
Michael Whalen, Codes and Standards

Guests: Joseph Moschello, Summit Fire
Bob Yaiser, Toms River Fire Prev.
David Aron, C.C.F.M., Retired David Kurasz, NJFSAB
Joe Ripa, Camden County Freeholder

A. Call to Order

Acting-Chairman Pat Intindola brought the meeting to order at 10:10 AM and pointed out the fire exits.

Commissioner Intindola called for a moment of silence to recognize Firefighter Stevens (Elizabeth) and Firefighter McClanahan (West Windsor) who have recently died in the line of duty. A moment of silence was observed.

Camden County Freeholder Joseph Ripa welcomed the New Jersey Fire Safety Commission to the brand-new Camden County Fire Academy. Freeholder Ripa spoke about the importance of public safety and firefighter training. In these trying economic times, it is important not to let the standards of public safety slip even the slightest bit. Freeholder Ripa urged the Commission to keep up the good work in advocating for the fire service and citizens of New Jersey, and continue to save lives.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of November 19, 2008, were approved.

C. Correspondence

Commissioner Intindola noted that all correspondence and council meeting minutes are contained within the Commission packets.

D. Public Comment

With no 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 Lawrence Petrillo thanked Freeholder Ripa and Commissioner Paul Hartstein for hosting today's Commission meeting. He complimented them on Camden County's beautiful new, state-of-the-art, training facility.

Director Petrillo provided the Commission with a synopsis of what the Division of Fire Safety had done and accomplished during the past year - 2008. The Division was involved with over 267 fire investigations, of which arson fires ran 2-to-1. This number is up from 2007, and Director Petrillo feels this could be a product of the economy. Of these investigations there were nine arrests – one conviction and eight awaiting trial. Director Petrillo is confident that the Division has been successful in getting arsonists off the street and the numbers point to this. Director Petrillo also talked about the need for Fire Officials to call in the arson unit and make sure they are involved in the process.

In 2008, the Division of Fire Safety conducted over 12,000 inspections within over 100 LEAs. The Division issued over 3,000 permits for anything from pyrotechnic displays to cooking to specialized-type events. There were no serious incidents and no one was injured following the issuing of these permits.

In the area of training and education, over 11,000 firefighters and fire officials were trained in various courses. The catalog for the Spring 2009 semester will be available soon through the Division of Fire Safety's website. The Division will be saving money this year by not printing the semester catalog and having it only available online.

The Division is about 95% complete with the high-rise survey. In addition, the Division has been able to automate a lot of their processes and reduce the use of hard copies thanks to the in-house technology. This has helped information get to fire department in close to real time. The most recent accomplishment is the annual report, which had been printed in the past and sent to the LEAs. This process has been automated and the fire officials can now report online, which eliminates the sending back and forth of a lot of paper.

The Division of Fire Safety's Fire Department Preparedness Unit has responded to 71 fires this year – which required regional coordinators to allocate multi-county resources. Among these responses were the forest fire in Wharton State Park and the recent fire in Elizabeth that claimed the life of Firefighter Gary Stevens.

A large-scale exercise was also held recently for the UASI initiative. The Division was able to test its ability to coordinate and respond to a terrorist attack. The exercise was a success in that the Division was able to analyze and address its short-comings, and the analysis is on-going. Also, dialogue is also underway to finalize the Highway Traffic Safety Guidelines with State Police. This document should be completed and approved in the near-future.

The NFIRS Unit has experienced great success in 2008, seeing 96-97% of fire departments reporting. This puts New Jersey in the top five in the nation as far as reporting fire incidents goes. Another important statistic is that New Jersey ranked ninth in the United States in fewest fire-related deaths. Director Petrillo feels this is a tremendous accomplishment given the size and density of New Jersey's population compared the other states that rank ahead of us. Director Petrillo believes this is a direct result of our Uniform Fire Code Enforcement. Out of the 60 fatalities last year, only 2 occurred in a building that is regulated by the Uniform Fire Code. This should be a telling statistic when illustrating the need for sprinklers in one- and two-family homes.

The bidding period for the Division's Firefighter I manuals has recently ended, and now we are in the process of reviewing the proposals. The Division received six proposals and now has about 15 boxes of materials to review. State Fire Marshal Petrillo mentioned two retirements from the Division of Fire Safety in 2008 – most recently Sylvester Swanson, who the Division is working on replacing at the current time.

Next week, the Division of Fire Safety will be attending the kick-off to the annual ABC Operation Save-A-Life program. The Division will receive around 15,000 smoke detectors for distribution. Also, the Public Education Unit has made great strides in 2008 with the expansion of the New Jersey FIRE Bowl program as well as the thousands of Public Service Announcements that have appeared on Comcast cable throughout the year.

Chief William Kramer reported that the Spring 2009 Curriculum is just about completed and will be appearing on the Division of Fire Safety's, as well as Kean University's, website in the near-future. A post-card will be sent out to let people know that this information is available. Also, the Division is in the process of offering about 20 code-update courses that are independent of the normal spring curriculum. These have been spread throughout the state and have been well-attended. The new New Jersey edition of the International Fire Code books has been made available for purchase at these seminars. Everyone should be able to get them by the implementation date in February. With the purchase of the books comes a three-year subscription service for code updates through the ICC. The books cost \$116 for members, \$145 for non-members. The code is also available online (to view only) free of charge on the ICC website.

The new Fire Inspector course, to reflect the new code, is in the final review process. The Division expects to offer Train-the-Trainers to the academies and county colleges – and hopefully they will be scheduled by the end of this month. The courses run a total of 120 hours.

The Division met with the County Fire Coordinators this past Saturday and had a very productive meeting and dialogue with the Homeland Security Director Richard Canas. The Division's partnership with Homeland Security has really blossomed over the course of the past year, something both sides are very proud of. Two big projects that Fire Department Preparedness has been working on is the issue of port security in the southwestern and northeastern part of the State. Division staff has been working on getting New Jersey's fair share of available grant monies and get them allocated for the fire service.

Chief Kramer spoke about the significant number of regulations that will be moving forward soon – many of which have come from the Codes Advisory Council. Quite a few of these will be hitting the New Jersey Register in the near-future. Chief Kramer concluded his report by expressing his gratitude to Michael Whalen from Codes and Standards. His hundreds of hours of work have been vital to completing the review process of the new code. It could not have gotten done and adopted without him.

Commissioner Arthur Mercurio asked about the Division of Fire Safety's involvement with the Coast Guard at the State's two major ports. Chief Kramer answered that the Division has been working with local fire department in these areas on getting grant money for the protection of these ports. The rules for obtaining these grants have changed, making it easier to obtain these funds for port security. The Division is heavily involved in this for both ends of the State. Commissioner Mercurio also inquired about the regulations regarding the disposal and storage of waste materials from coal-powered

plants. Chief Kramer answered that would be more of a DEP issue. Rick Farletta answered that these materials are all transported by barge, not on roads.

Commissioner Lewis Candura asked about the Port Authority coming out with two different identification cards that are required to get on to properties. Director Petrillo answered that this is a Department of Homeland Security initiative, and the last information he had said that not everyone has to have the identification card – but must be accompanied by someone that has a card. Commissioner Hartstein asked if there would be an exemption for fire inspectors, and Chief Kramer answered that they have in writing that there would be.

Commissioner John Lightbody asked about the State reporting system for fire officials. He and his staff were having a hard time because once you start a report it does not save so you can go back to it. Commissioner Hartstein asked if a stop-and-save feature could be added to make it more user-friendly. Director Petrillo said the system is being continuously worked on and developed, because it was not originally designed for this purpose. Director Petrillo commended Karen Luckie from his staff for her diligent work on the project. Commissioner Hartstein agreed that the online reporting system is a great asset.

Commissioner Lightbody also spoke about the availability of the electronic version of the International Fire Code. He said there's no way he and his staff can work without it for two months. Chief Kramer said the issue of the private vendors and the licensing agreements has to do with them and the ICC. In regards to the code update course, they will not be teaching the code. It is designed only for those experienced with the code, and highlighting the differences between the old and new code. There should be very little learned curve moving from the old code to the new. If there is an LEA with a problem, they can always call the Division for help.

Commissioner Charles Schilling asked about the mattress regulations. Chief Kramer answered that this issue is one of the many up-coming regulations, along with combustible mulch and others. A draft was put together on mattresses for the Codes Council's review, and it requires mattresses to meet a flammability standard. For non-suppressed buildings, there will be a certain time allowed to replace mattresses. For suppressed buildings, that time frame will be longer.

Commissioner Arthur Londensky asked that the Fire Safety Commission information be posted on the Division of Fire Safety website in a timely manner. Also, Commissioner Londensky asked about who answers questions posed on the Division website – and agreed to wait for Chief Lou Kilmer's report on this. Commissioner Londensky also asked about whether Commission members would be getting copies of the fire code. Chief Kramer answered that it would be arranged.

Bureau Chief Lou Kilmer reported on the high rise suppression project. Out of the 411 buildings that were reported as having these types of systems, 335 have been inspected. The vast majority of the unsuppressed space is classified as residential units. As the

Division is going through these buildings, violations are being issued for deficiencies related to the current retro-fit code. There are still about 75 buildings to be checked out.

The Inspections Unit is moving forward with the new, more efficient, computer system. It is being integrated and should be finalized sometime in 2010. Once the system is fully implemented it will revolutionize the way the Inspections Unit is able to get things done. To answer Commissioner Londensky's question from before, the Inspections Unit has added a "Frequently Asked Questions" section to the Division website. The way it works is the questions come in and a supervisor answers the question. If it's a more complicated issue, Division staff will get together and discuss the issue and determine a policy as related to the specific issue.

Commissioner Intindola asked about the computers the Division distributed throughout the State a few years back and whether they were being used effectively. Director Petrillo answered that, yes, in most cases these computers were being used effectively for their intended purpose. Since these computers are about 4-5 years old by now, it may be time to look into updating the technology.

Commissioner Candura asked about the inspection of standpipes. He asked as to whether the Division was checking just to see if the standpipes are physically there, or if they are being tested. Chief Kilmer answered that they are not running tests on the standpipes. Having working standpipes is a code requirement, and the local officials should be getting the test reports during their inspections. However, in cases where it is obvious that the standpipe does not work, the Division does not count this as having a standpipe. Commissioner Candura also asked about the definition of a "partially suppressed" building. He is under the impression that having one sprinkler head would fill this requirement. Chief Kilmer does not consider one sprinkler head partially suppressing a building, so the inspectors use a survey sheet to determine how much square footage is actually suppressed.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling spoke about a memorandum contained in the Commission packets on the topic of 'Draft Amendments to the Uniform Fire Code'. He asked that the Commission approve these amendments. Commissioner DeTrollo made a motion that the amendments be approved. The motion was seconded by Commissioner Hartstein and passed unanimously.

Commissioner Schilling also spoke about the report that Chief Kilmer had given at the recent Code Council meeting in regards to Standpipes in High Rise Buildings. Commissioner Schilling agreed that a 'partially suppressed' building should not be defined as a building that has at least one sprinkler head. This is something that the Codes Council will look at.

Commissioner Schilling asked Chief Kilmer if there were any updates on the issue of the Vacant Building LHU proposal. Chief Kilmer answered that the sub-committee looking into this issue would be meeting in the near-future.

Commissioner Schilling noted that Gary Lewis, a 25-year veteran of the Codes Council would be leaving the council. He suggested that a resolution would be done to commemorate his tremendous service to the Commission. Commissioner Intindola said it would be done, given Commissioner Schilling can provide Mr. Lewis's resume for the resolution.

Commissioner Schilling asked that two new members, Tom Pizzano II and Joseph Moschello, be added to the Codes Council. Commissioner DeTrollo made a motion to approve these members. The motion was seconded by Commissioner Lightbody and passed unanimously.

The next meeting of the Codes Advisory Council will be February 21, 2009, at 12:00 pm at the Middlesex County Fire Academy.

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 16th at the Dempster Training Center at 10:00 am.

The bid opening in response to the RFP for a Firefighter-I and II text was rescheduled to December 23rd. The alternatives for the NJ Addendum, which was copyrighted by Delmar, are still being considered.

The Drill Ground Instructor program which will replace the General Safety, Live Burn, and SCBA/Smokehouse Instructor programs was endorsed and recommended for adoption to the Office of Training & Certification as provided in the proposed Instructor Standard revisions. We hope that the Commissioner will now send the Proposal to the *Register* for publication. I recommend that a letter be sent to the Commissioner reiterating the Commission's endorsement of this Proposal. The Division will be offering this course during the Spring Semester.

The Division will be dropping other text book support starting January 1, 2009. Courses are in the process of being placed onto the website for downloading. T&E recommended that only student manuals be placed on the website, not instructor guides.

The revised I-200.A course developed by FEMA refers students to the on-line exam for IS-200. An exam for I-200.A was developed by Office of Training & Certification staff and will be distributed as requested.

There had been some concern that the Fire Officer program might need additional revisions to better teach the proficiencies for operations as well as administrative requirements. Comments from the pilot offerings and from instructors who have since taught the course were considered. It is essential that a more structured process be established to review this and all other certifications. By motion, it was decided that a meeting for the Tier-I academies and the T&E – Fire Officer Committee be scheduled and continued on a regular basis. The agenda for those meetings would likely be expanded to include all certification programs.

At the August meeting the Fire Safety Commission approved the Proposal for amendments to the Fire Officer Certification standards with a recommendation to Commissioner Doria that the changes be promulgated. I understand that the Proposal is in the Division's Legislative & Regulatory Services Office. Unless there is other information, I recommend that a letter be sent to the Commissioner and the Legislative Office asking that the Proposal be printed.

The Committee to study Driver/Operator Safety Training reported that some commercial schools might be used to prepare firefighters for actually obtaining a Class-B license from DMV. T&E does not endorse that suggestion. Some members have used other alternatives for such training in their academies and will provide that information to the Committee.

The idea of national certification of the New Jersey training programs has been a recommendation of T&E and the subject of several bills introduced in the Legislature. The bidding laws – the sole source problem – have stymied providing ProBoard or IFSAC certifications. The academies in Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties are banding together for Pro Board accreditation.

The Training & Education Advisory Council will continue to meet on the third Tuesday of even-numbered months.

The next T&E meeting will be February 17th at the Dempster Training Center at 10:00 am.

Commissioner Anderson also formally recognized the return of Commissioner Roger Potts to the NJ Fire Safety Commission. In addition, Director Petrillo recognized the following Commission members who have been appointed/reappointed: Steve O'Gorman, Armando Roman, Paul Hartstein, Kathleen O'Leary, Richard Blohm, and Arthur Mercurio.

3. Statistics and Information Advisory Council

In the absence of Commissioner Gerard Naylis, no report was given.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the primary focus of the Master Planning and Research Council will be getting sprinklers in one- and two-family residences. There was also a discussion on the economic climate in New Jersey and the nation today, and how that would affect getting issues like high rise sprinklers resolved.

There was also a discussion on light-weight construction. The Master Planning Council is looking at incidents that took place in light-weight construction and how it relates to firefighter injuries. Also, the Council has completed its educational CDs on one- and two-family sprinklers and turned it over to the National Sprinkler Association – who will look at and tweak it. Commissioner Lightbody thanked Bob Yaiser for his work on these CDs.

The next meeting of the Master Planning and Research Advisory Council will be on March 7, 2009, at the Middlesex County Fire Academy at 10 AM.

Commissioner Intindola asked about the educational CDs and if they had been looked at by the Division of Fire Safety and gotten its stamp of approval. Bob Yaiser answered that they are waiting for the CDs to be finalized before turning them in to the Division for approval.

5. Public Education Advisory Council

Commissioner Daniel DeTrollo reported that no meeting of the Public Education Advisory Council had been held since the last Commission meeting. The most recent meeting was cancelled due to Commissioner DeTrollo, along with Commissioners Hartstein and Anderson, testifying at the State House during the hearing of Assembly Bills 3207 and 3267 on Novelty Lighters. Chairman Wisniewski is the sponsor of the bills. Commissioner DeTrollo would defer to Commissioner Hartstein to report on the hearing during his report.

The next meeting of the Public Education Advisory Council will be on March 12, 2009, at 10 AM 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 11th, and the focus was mainly on the upcoming bills on Novelty Lighters. Commissioner Hartstein felt the hearing itself went extremely well and has garnered a lot of support from several members of the Assembly. Commissioner Hartstein spoke for Juvenile Firesetters, Commissioner DeTrollo spoke for Public Education, and

Commissioner Anderson spoke on behalf of the Commission. Assemblyman Wisniewski also did a presentation illustrating the types of lighters that are sold to appeal to children.

One issue from the Bills they are continuing to look at is the dollar amount of the fine for a business selling, or offering to sell, any type of novelty lighter. As it stands now, the fine for a first offense stands at \$10,000. It is the general thought that this dollar amount is a bit too high, and could be brought down as the bill is amended. Also, it was added to the Bill that a retailer shall not display matchbooks and offer them for free distribution.

Commissioner Hartstein feels it is important, for code enforcement purposes, to keep the Novelty Lighters Bill in the jurisdiction of the Department of Community Affairs, as opposed to Consumer Affairs. Commissioner Hartstein made a motion that the Commission draft a letter to Commissioner Doria to appeal to him to keep the Bill in Community Affairs.

The 6th Juvenile Firesetters Annual Conference was a success. We had 108 people attend. This year we had 56 walk-ins. For 2009, the tentative dates are December 3rd and 4th at Middlesex County Fire Academy.

The next meeting of the Juvenile Firesetter Prevention Council will be March 11, 2009, at 10 AM at the Burlington County Emergency Services Academy.

G. Committee Reports

1. Residential Sprinkler Committee

In the absence of Commissioner Gerard Naylis, no report was given.

2. Furniture Flammability Committee

Commissioner Gerard Naylis reported that the Committee is still working on this issue and gathering further information. There is no formal report to give at this time.

3. 25th Anniversary Planning Committee

Commissioner C. Kenneth Anderson spoke about the upcoming celebration of the 25th Anniversary of the NJ Fire Safety Commission. Commissioner Anderson suggested that the Commission at least settle on a date for the celebration. He suggested the date of March 16, 2009, and all Commission members agreed on this date. Commissioner Anderson said he would check with Chairman Wisniewski to see how this date works, but March 16th would be the tentative date.

H. Old Business

Commissioner Arthur Mercurio noted that Commission Secretary Charles Lavin had been absent at November's meeting due to his wedding and honeymoon. Commissioner Mercurio, and the rest of the Commission, congratulated Mr. Lavin on his recent marriage and wished him luck.

I. New Business

Commissioner Steve O'Gorman spoke about the recent line-of-duty death of Firefighter Gary Stevens of the Elizabeth Fire Department. Commissioner O'Gorman called Firefighter Stevens as a friend, a gentleman, and a great asset to the fire service. He thanked the Commission and the fire service from around the State for all the support that the Elizabeth Fire Department has received in the wake of this tragedy.

At the conclusion of the meeting, Commissioner Hartstein welcomed any Commission members or members of the public present to tour the grounds of the new fire academy and check out their new equipment.

J. Adjournment

Commissioner Intindola asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 11:42 AM.

*** The next meeting of the Fire Safety Commission will be on March 18, 2009 at 10am. It will be held at the Middlesex County Fire Academy in Sayreville, NJ. ***