

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

Meeting of July 15, 2009

The New Jersey Fire Safety Commission meeting was held on Wednesday, July 15, 2009, at the Toms River Fire Academy in Toms River, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Pasquale Intindola, Vice-Chairman
Mr. Charles W. Schilling
Mr. C. Kenneth Anderson
Mr. Arthur Londensky
Mr. Paul Hartstein
Mr. John Lightbody
Mr. Armando Roman
Ms. Kathleen O'Leary
Mr. Lawrence D. Wood
Mr. Steve O'Gorman
Mr. Roger Potts
Mr. Gerard Naylis
Mr. Arthur Mercurio
Mr. Fredrick Collender
Mr. Lewis Candura

Commission Members Excused: Mr. Daniel DeTrolio

DCA Staff Members Present: Joseph Doria, DCA Commissioner
Lawrence Petrillo, State Fire Marshal
William Kramer, NJDFS
Lou Kilmer, NJDFS
Rick Farletta, NJDFS
James McFadden, NJDFS
Charles Luxton, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
Heather Puskar, NJDFS
Kent Neiswender, NJDFS
Chris Eckert, NJDFS
Jeffrey Silver, NJDFS
Rodman Meyer, NJDFS
Jason Spiecker, NJDFS
Stephen Letts, NJDFS

Gary Licknack, NJDFS
Amy Frank, Codes and Standards

Guests:

Carole Lightbody, Atlantic Consulting
David Perry, Lower Twp.
David Kurasz, NJFSAB
Ronald McGowan Jr., West Wildwood FD
William Quinn, Westwood Fire Dept.
Tom Pizzano, Sr., Codes Advisory Council
Nicholas Kikis, NJ Apartment Assn.
John Gervato, Master Planning Council
Dan Mulligan, Ocean County Fire Marshal
Bob Yaiser, Toms River Fire Prevention
Ray Lonabaugh, NFSA

A. Call to Order

Assemblyman Wisniewski brought the meeting to order at 10:07 AM with the Pledge of Allegiance, and then pointed out the fire exits.

Chairman Wisniewski began the meeting by recognizing Commissioner Charles Schilling for being a charter member of the New Jersey Fire Safety Commission. Commission Schilling has been a vital part of the Fire Safety Commission since its inception 25 years ago. Chairman Wisniewski presented Commissioner Schilling with a resolution in honor of his service to the Commission and the people of New Jersey.

Commissioner Schilling thanked Chairman Wisniewski and the entire Fire Safety Commission for this honor and all their hard work. Commissioner Schilling spoke about the ups and downs, battles won and lost over the past quarter-century, and the great work that all the Commission members have done to make New Jersey a leader in the nation in fire safety. He stressed that he would continue to work hard for the Commission because there is still work to do and much yet to be achieved.

Department of Community Affairs Commissioner Joseph Doria stopped by the meeting and spoke briefly to congratulate the Fire Safety Commission on its 25 great years of service. He thanked the entire Commission for all their hard work, and urged that we should all keep working together to serve New Jersey better and better. He also presented a letter from Governor Corzine offering his congratulations.

Commissioner Arthur Mercurio asked if Commission members would be able to meet with Commissioner Doria to discuss various urgent issues that New Jersey's fire service is facing. Commissioner Doria answered that although he sits on various commissions and is often running around the state he would be willing to meet when possible, and arrangements to do so could be made via State Fire Marshal Lawrence Petrillo. Commissioner Lewis Candura asked a question regarding the fire sprinkler retro-fitting of group homes. Apparently, patients are being rearranged so that the homes will be

exempt from retro-fitting. Commissioner Doria said he was not previously aware of this issue, but it's something that he and State Fire Marshal Petrillo would look into.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of May 20, 2009, 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 the floor to any member of the public wishing to speak. With no member of the public wishing to comment at this time, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

State Fire Marshal Lawrence Petrillo thanked Commissioner John Lightbody and all the folks from the Toms River Fire Academy for hosting today's meeting at their terrific facility and providing refreshments.

Director Petrillo reported on the Homeland Security Conference that took place at Kean University last month. The Conference was extremely well-attended, over 275 attendees, and was an overwhelming success. A main theme was the H1N1 virus (swine flu) and how to effectively combat the pandemic and its potential resurgence in our area. Speakers included representatives from the FBI, U.S. Attorney's Office, and United States Naval Academy.

New Jersey Weekend at the National Fire Academy was recently held down in Emmetsburg, MD. It was a great, successful weekend and continues to be a great tradition for New Jersey's fire service. Director Petrillo feels this weekend is an excellent opportunity to 'recharge your batteries' each summer, and hopefully the tradition will continue into the future. Director Petrillo added that another Peer Review session had been held since the last Fire Safety Commission meeting. There were five individuals that came up in front of Peer Review for various reasons.

State Fire Marshal Petrillo spoke briefly on the issue of the Division of Fire Safety's staffing. The unions accepted a total of 10 furlough days, which will impact Division productivity, but this will keep the Division from losing any employees through lay-offs or on a permanent basis. The Division recently lost two employees and with the hiring freeze still in place, they will not be replaced. Director Petrillo commended his staff for

their hard work and innovative ways of filling the gaps and making up for being so understaffed.

Chief William Kramer gave an update on the Firefighter I training manuals. At this point Treasury is dealing with an appeal from one of the losing bidders. Hopefully there will be good news in the very near future with respect to an award, and then we can begin working through the process of procurement. Chief Kramer said that Commissioner Doria has been supportive throughout this process and will be assisting us any way he can to get the money for these manuals.

Division of Fire Safety staff is currently working with Kean University on the Fall Semester. We are dealing with economic conditions as best we can in regards to the funding, and the folks at Kean are even continuing to work with Division staff without the absolute guarantee that they will receive a contract. The revisions to the Fire Instructor Certification standards, which were approved by the Training and Education Council, have been submitted to Commissioner Doria then to the Governor's Office from there.

The Division of Fire Safety has been working with the Office of Homeland Security and Preparedness on a continuing basis, and will be offering a Terrorism Awareness for Fire and EMS train-the-trainer programs. The program is designed to make fire and EMS personnel more aware of tell-tale signs of terrorism while doing their day-to-day jobs. It will be offered Sept 26th (Bergen), Oct 3rd (Camden), and Nov 7th (Mercer).

The Division's Fire Department Preparedness Unit has been working with BPU and Codes and Standards to develop a training program dealing with solar electricity. That program is currently being finalized, and the Division is working on getting CDs and a poster made to show the major components of solar electricity systems on a building. It is hoped that these can be given to every fire department in the state to make everyone aware. New Jersey is the 2nd largest state, behind California, in regards to the use of solar electricity. The Fire Department Preparedness Unit is also currently working on updating the County Mutual-Aid plans, which will then lend itself to updating the mutual aid plan for the entire state.

Chief Kramer noted that all Commissioner Members have received copies of the updated Code. He mentioned that there are a significant number of items within the Code that are viewed as retro-fit requirements. The Division is working with Codes and Standards to address this issue.

Commissioner Naylis if there was ever going to be a movement to update the County Mutual-Aid plans electronically. He feels this will be the quickest and most efficient way to update these plans. Chief Kramer answered that this has been in existence for a number of years. Rick Farletta answered that things are moving in the direction towards doing these plans electronically, and the Delaware River Region has actually just submitted all of their plans electronically.

Chief Kilmer reported that the Division's Code Enforcement Unit has recently gone through an extremely busy period with the July 4th holiday. The Division oversaw dozens and dozens of fireworks shows, and not one injury was reported at any of them. The potential for problems, however, is out there but they are being rectified before the shows take place through and the accidents prevented. Code Enforcement has also been working with New Jersey's school districts throughout the summer, making sure that all the buildings are up to par for the upcoming 2009-2010 school year.

Chief Kilmer also spoke about the Code Enforcement Unit's updated procedures for inspectors to handle collecting fees in a timelier manner. This should help prevent future problems such as backlogging. Commissioner Naylis asked whether this new policy will only handle fees owed going forward, or would this help to collect all the past outstanding fees that are owed. Chief Kilmer answered that it is designed for the collection of fees going forward, but where it is found that outstanding fees are owed they are being collected. State Fire Marshal Petrillo added that Commissioner Doria has been extremely supportive in helping to obtain funding for the new computer system that would go a long way towards solving the bill collecting problems.

Major Chris Eckert gave his report on the Division of Fire Safety's Arson Investigations Unit. The Unit is extremely busy, as usual, but the Unit has been working hard to get to all the fires they're need at throughout the State. The Arson Investigations Unit was recently selected to participate in the Bureau of Alcohol Tobacco Firearms and Explosive's BATS program ("Bomb Arson Tracking System"). This is a nationwide computer system that enables your unit to enter data on arson/bomb incidents and investigations, and in turn that data is accessible from all across the country. This includes suspect information, conviction rates, etc. This will go a long way towards joining investigations agencies throughout the country, and therefore working to the advantage of the Arson Unit in all respects. Also, the Division of Fire Safety's Arson Unit has been asked by the FBI to provide training. This will be taking place in either August or September. State Fire Marshal Petrillo added that the Arson Unit has gotten seven convictions so far this year.

Heather Puskar gave a report of the Division of Fire Safety's NFIRS Reporting Unit. In 2006 there was 98% reporting, 97% in 2007, 94% in 2008, and 70% so far in 2009. In 2008 there were 83 civilian fire fatalities, half of which were in one- and two-family dwellings. The 2007 Fire in New Jersey report is currently on the Division of Fire Safety website and is accessible for download in pdf form. The 2008 Fire in New Jersey report is currently about half-way completed, but it is shaping up to be much larger than the reports from past years.

Chairman Wisniewski inquired as to why the reporting percentage was so much lower for 2009 at the present time. Heather Puskar answered that her NFIRS staff member for the northern part of the State left the Division in 2008 and has not been replaced. This has made it much more difficult to get to all the fire departments and provide them with assistance and guidance in getting their reported submitted (and submitted correctly). Director Petrillo added that they are looking into different ways to provide support to the

fire departments, but it is obviously very difficult being a man down and not having someone to actually knock on the doors and provide a personal touch. Commissioner Anderson added that the percentage of reporting tends to go up as the year goes on, as some departments wait until the end of the year to submit all their data. Commissioner Naylis expressed concern about the data quality that could suffer due to the understaffing of the NFIRS Unit.

Commissioner Arthur Mercurio asked if the Division of Fire Safety was aware of the current smoke detector recall. Director Petrillo answered that the information on the recall is on the DFS website and a bulletin has been send out via email within the State Fire Marshal Message.

Rick Farletta of the Division's Fire Department Preparedness Unit reported that they are in the process of bringing in and updating the County Mutual-Aid plans. The Division has also been in contact with regional and county officials to prepare for a potential resurgence of the H1N1 Influenza pandemic. The Unit had also been out to several counties to spread the word about stimulus monies that could be obtained for construction through grants. The NJDFS logistics vehicle will also be outfitted with updated computer systems in the near future.

Commissioner Lawrence Wood asked if the OEM Fire Annex was coordinating information with the Division of Fire Safety. Rick Farletta answered that the Division and OHS&P are in the process of rewriting the state plans. Both are meeting with a contractor to work on these new plans this coming Monday.

Kent Neiswender of the Division's Training Unit reported that the Spring Semester was very successful in offering 150 programs, also supporting another 100 programs. Over 4,500 seats were filled during these courses. The Division also ran 39 Code Update programs, and they are continuing to work on contracts with Kean University and for the Firefighter I manuals. The Training and Education Advisory Council also has some proposed amendments to the Officer Certification Standards, which will be covered by Commissioner Anderson during the T&E report.

Gary Licknack of the Division's Contractor Certification Unit reported that the Division is looking at its largest number of certification/permit renewals in October of this year. The Contractor Certification Advisory Board has been reorganized and is now meeting on a regular basis. They have also formed a Subcommittee to closely examine the residential sprinkler issue with respect to contractor certifications. The Unit is looking at ways to better educate and communicate with the contractors throughout New Jersey

Commissioner Candura asked if Mr. Licknack's Unit would be able to provide some sort of data, without giving out name, on the type of problems/violations the Contractors Certification Unit is experiencing. It is Commissioner Candura's feeling that if we can identify the more common problems, the Commission could work towards solving them. Gary Licknack said he doesn't have this information handy, but it could be put together.

Chairman Wisniewski asked that Mr. Licknack provide a “sanitized” report on this data for the September Commission meeting.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that the most recent Codes Advisory Council meeting was cancelled, so there is no report to be given at this time. Commissioner Schilling did add his thanks to the Division of Codes and Standards for all their help throughout the many years he has served on the Fire Safety Commission.

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 June 16th at the Dempster Training Center at 10:00 am. The minutes of the meeting are in your folders.

As of our meeting, Treasury had issued a notice of “Intent to Award” a contract for the Firefighter I texts. An appeal by an unsuccessful vendor has been filed. Treasury has to respond to that and then approve an award. The Commissioner then has to sign off on the funds. Texts and materials can then be delivered, but the time frame is unknown for accomplishing all of this.

Two months ago I reported that it appeared that some tweaking would be required to the recommendations for prerequisites for Fire Officer certification. Suggestions had been circulated to the Tier I EOs and T&E. Generally, the suggestions were:

- Specify the NFA Strategy and Tactics for Initial Company Operations course (STICO) plus 12 additional hours of exercises as the Strategy and Tactics course.
- Develop a course for practical concerns of building construction and have special emphasis on current methods of construction – lightweight trusses, bar joists. etc. Probably more than six hours.
- Require the National Fallen Firefighters Foundation Life Safety Initiative (FFLSI) Program “Courage to Be Safe... So Everyone Goes Home” as the safety component and require the NFA Incident Safety Officer Course for Fire Officer III certification.
- Require completion of the Instructor I course, but not certification which raises questions of what if continuing education isn’t attended and responsibilities for cost of back-fills, etc.
- Remove the requirement for Haz-mat Ops since it’s required by Federal regulation.

The suggestions were discussed at the meeting. Some of the discussion included: We shouldn't be substandard. The requirements are competency based. Safety is more important than teaching. Although training requires many hours, it is obtained in discrete segments and over a three year period.

The Council voted to continue the original recommendation to the Fire Safety Commission that the proposal be endorsed and recommended to Commissioner Doria for adoption.

The Proposal for amendments to the Instructor Certification standards still has not been printed in the *Register*.

The RIC Committee reported that its charge to develop guidelines for uniform training of RIC teams has extended into the Awareness and Ops modules, Instructor criteria, RIC leaders and officers, and tips on RIC for Fire Officers. In response to my questions to the Division about integrating the recommendations into the Firefighter I and II curriculum, the response was that complete training packages would be needed.

The Council agrees with the RIC Committee that this is beyond the charge to the Committee and directed that the recommendations be sent to the Commission. Notwithstanding, the RIC Committee has scheduled a meeting to review all of the components as a package and to confirm that there will be consistency with the proposed NFPA Standard for RIC.

The Fire Inspector Training Program to comply with the new Code was developed through a contact with input from the Division and the Division of Codes and Standards. It is a 120 hour program. As of our meeting three Train-the-Trainer offerings had been conducted. Some tweaking was being made and the package was to be released to the EOs in a couple of weeks.

The next T&E meeting will be August 18th at the Dempster Training Center at 10:00 am.

Commissioner Anderson spoke on the memo he had seen via e-mail to all Commission Members regarding Proposed Amendments to the Officer Certification Standards. Commissioner Anderson made a motion that the Commission accept these proposals and forward them to Commissioner Doria with a recommendation that they be published in the Register as a Proposal. The motion was seconded by Commissioner Lawrence Wood. A lengthy discussion followed on whether to accept these proposals, including questions on the language on the issue of acceptable experience of a Chief Officer/Fire Chief.

Commissioner Naylis and Commissioner Steve O'Gorman recommended that the motion for approval be put on hold until the State firefighter unions and other organizations have a chance to meet on and review the proposals. Commissioner O'Gorman made a motion to table the memo until it can be properly reviewed by the unions. This motion was seconded by Commissioner Fredrick Collender, and passed by a vote of 13-1.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis said that Heather Puskar's report during Division of Fire Safety Activities was sufficient in expressing the numbers that the NFIRS Unit is seeing. Commissioner Naylis again urged the need for the Division of Fire Safety to add staff so that an NFIRS Unit representation can be present in the North Jersey region.

Commissioner Naylis also inquired about making it mandatory for fire departments to be completely participating in NFIRS reporting to be able to collect any kind of grant monies. Director Petrillo and Chief Kramer answered that a statutory change would need to take place to make that happen, but agreed that it would be a motivating factor in getting fire departments on the ball as far as reporting.

Commissioner Naylis also recommended, in addition to Fire Focus, that the Division put together an e-mail list that could send information directly to individuals on a local level. Director Petrillo answered that Jerry Clark has already put together a current and comprehensive list of e-mail addresses for this purpose and the Fire Marshal Message will be sent out shortly.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody gave the following report on the Master Planning and Research Advisory Council:

At our May 4th meeting we approved a draft letter along with a blank Proclamation to go to all Fire Department organizations for their support in the adoption and approval of amendments to the New Jersey Uniform Construction Code requiring the installation of a sprinkler system in all new one- and two-family dwellings. Approximately 1,000 letters were mailed in the month of June and as of this date we have over 2,200 Proclamations returned and still coming in...

We had also discussed the draft proposal for legislation via the Master Plumbers regarding exemption to certification to install 13-D residential systems or at least for multi-purpose systems. It was clearly stated that you shall be certified by the Division of Fire to install, maintain, or test any sprinkler system including the multipurpose system.

It was noted that field inspection of multi-purpose systems presently under the UCC will be under the Plumbing Sub Code and that the 13-D systems are under the Fire Sub Code. The Fire Sub Code will have concurrent plan review responsibilities in multi-purpose systems. It was also learned that when passed, implementation shall not take effect until 2012. Hence, this gives time to assure that all Installers and all Inspectors are properly trained.

We also had reviewed the proposed Senate Bill No. 2962 via Senator Bateman prohibiting the amendment to sprinklers in one- and two-family dwellings. This group and the fire service across the State was extremely upset with the erroneous statements of facts that

the Senator was led to believe and past on to both Houses for action. This Bill has now been pulled after the Senator learned the real facts.

On July 6th the Fire Contractors Certification Unit Advisory Board met with the Coalition in reference to various issues with the licensing and certification of sprinkler contractors for NFPA 13D and multi-purpose systems. It was learned at this time more information and research was needed prior to making any recommendations or changes to certifications. Both the Advisory Committee and the Coalition members would look into more needed information and work on some suggestions for the next meeting on September 14, 2009, at Middlesex County Fire Academy.

We have been advised that the amended changes of the Uniform Construction Code have moved, from Commissioner Doria's office to the next step prior to being published in the Register.

5. Public Education Advisory Council

In the absence of Commissioner Daniel DeTrollo, no report was given. Charles Lavin pointed out that the most recent minutes of the Public Education Advisory Council were contained in the Commission packets. The next meeting of the Public Education Council will be on September 10, 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 formal report was given. Commissioner Steve O'Gorman announced that Commissioner Blohm has recently been promoted to Chief of the Hoboken Fire Department, and the Commission offers its congratulations.

The next meeting of the Firefighter Safety and Health Advisory Council will be today, at the Toms River Fire Academy, at 1:30 PM.

7. Juvenile Firesetter Prevention Council

Commissioner Paul Hartstein reported that the Juvenile Firesetter Prevention Advisory Council met on July 8th for its annual summer barbecue meeting.

The "Best Practices" Curriculum Committee has been hard at work collecting all the information from each county in New Jersey. The Committee is still putting the information together, but CD copies of the material are available. There have been discussions about posting this information on the Division of Fire Safety website and making it accessible via authentication code.

The Novelty Light Bill passed both Houses on June 25th, but without the matches provision. Assemblyman Wisniewski spoke on the evolution of this Bill, and mentioned that you can always go back and try to get the matches provision included. There has

been much discussion on the enforcement authority of the new laws. It is thought that Governor Corzine may be looking to sign this Bill at the Firemen's Convention in Wildwood in September. There is nothing definitely yet on this. Tim O'Dowd from the National Fire Academy provided a nationwide update on the Novelty Lighter Bill and how it is fairing around the country. He updates this information weekly on the National Fire Academy website as the many pieces of State legislation move along.

The Juvenile Firesetter Intervention Specialist I program that was held in Somerset County went extremely well. Students included six members of FDNY's Fire Marshal's Office. We have scheduled the program for Sussex County on August 28th and 29th with Michael McLeier as the instructor.

It has come to the Council's attention that NBC's Today Show has been looking to do a special segment on juvenile firesetting that features a family that has been affected by it. No member of the Council felt that it would be appropriate or necessary to put a family through that, particularly on national television.

The next meeting of the Juvenile Firesetter Prevention Advisory Council will be 10 AM on Wednesday, September 9, 2009, at the Middlesex County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that there was nothing further to add in regards to the residential sprinkler issue.

H. Old Business

A discussion was held on the topic of the 25th Anniversary event for the Fire Safety Commission. It was decided not to move forward with the planning of the event due to lack of interest and sponsorship funds. Commissioner Anderson suggested that all the funds that had been collected to plan the event be returned to the donors. Commissioner Naylis made a motion that the funds be returned to the sponsors as soon as possible. Commissioner Anderson seconded the motion and it passed unanimously.

Commissioner Candura asked if the Standpipe Survey had been completed and if there was a report ready for the Commission's review. Chief Kilmer answered that the survey was completed and the Division will work on getting a written report together for the September Commission meeting.

Commissioner Steve O'Gorman brought up the issue of back-up cameras for fire apparatus. He asked if the Division had had a chance to look into this for the retro-fitting of the UASI vehicles. Director Petrillo answered that the funding for this retro-fitting is not available at the current time. Assemblyman Wisniewski asked if these back-up cameras are required for newly purchased apparatus, and Commissioner O'Gorman

answered that it is currently optional. Chairman Wisniewski requested more information on the back-up cameras and their cost, because this could potentially warrant legislation to get the cameras on all apparatus.

Commissioner Londensky asked about the issue of the fire sprinklers that had been shut off for six months in Jersey City. Commissioner Armando Roman believed that the fire sprinklers had been turned back on, but would find out for sure as soon as possible.

Commissioner Hartstein brought up the issue from the prior meeting about having the September 16th meeting down in Wildwood. After a discussion on the feasibility of this, it was decided to hold the September 16th meeting at the Wildwood Convention Center at 12:00 pm. The Commission will work with Wildwood City Chief Conrad Johnson on the coordination of this meeting.

Commissioner Naylis asked if violations had been issued to those buildings that had issues with retro-fitting as a result of the Standpipe Survey. Chief Kilmer answered that the Local Assistance Unit is working closely with local fire officials on this issue and getting the buildings up to speed. Commissioner Naylis inquired about the Division's investigation of the Emerson Fire Department training case, and asked "what happened?" Chief Kramer answered that two of the three individuals involved did receive sanctions. The third won their appeal due to a key witness "falling apart" on the stand, and it was as simple as that.

I. New Business

Commissioner Candura informed the Commission that Senator Bucco has suffered two heart attacks within the past few months and is currently laid up, experiencing a lengthy recovery. Commissioner Candura asked that the Commission members keep Senator Bucco in their thoughts and prayers.

Commissioner Arthur Mercurio asked that the January 2010 meeting be held at the Camden County Fire Academy. Assemblyman Wisniewski agreed, and the January 20, 2010, meeting will be held at Camden County Fire Academy.

J. Public Comment II

Ray Lonabaugh asked if any municipalities in New Jersey had been subjected to the Jones Act, which includes extremely high taxes in communities with waterways and marine fire protection. Chief Kramer answered that there has not been a case of this in New Jersey, but the Division has been aware of this happening in Delaware and Pennsylvania. Assemblyman Wisniewski requested that Mr. Lonabaugh send him additional information on this issue.

David Kurasz asked if the Division of Fire Safety has been looking into not only residential fire sprinklers, but at new strategies and tactics for fighting fires in new light-weight construction. State Fire Marshal Petrillo answered that this is something the fire

service everywhere needs to be looking at. The way fires are fought is culturally changing because of this new construction, and Director Petrillo asked that the Firefighter Safety and Health Advisory Council look into this issue in-depth. Commissioner Wood said that he believes the fire service, in general, understand this problem and have adjusted their firefighting tactics, in regards to time, accordingly. Commissioner Wood added that residents need to be made aware of this and make builders take notice.

Irwin Freisburg from PEOSHA spoke about the Firefighter I standards. He stressed the point that Firefighter I is a recommendation; it is not mandatory. However, the basics for the firefighter training standards are there in the regulations. Mr. Freisburg recommended trying to move forward and make these standards mandatory for all firefighters.

John Gervato, Vice-Chairman of the Master Planning and Research Advisory Council, asked about the possibility of using the funds donated for the 25th Anniversary event for commemorative plaque/certificate/medallion for firehouses or government offices. He felt it would be a good way to recognize the achievements the Fire Safety Commission has made over the past 25 years. Commissioner Anderson answered that it would be disingenuous to take funds on the pretense of using them for an event, then using them for something different.

Bill James asked the Division of Fire Safety where we currently stand on the fire extinguisher law. Assemblyman Wisniewski answered that the Commission and NJDFS universally accept that it is a bad law, but difficult to repeal. Mr. James said that this has created a difficult situation because fire officials don't have exact guidelines right now in regards to how to handle the enforcement of this law. Mr. James also pointed out some issues with the retro-fit portion of the ICC, especially in regards to therapeutic residents and group homes. Mr. James asked for some clarifications, in writing, on these issues. Mr. James also asked that the Division of Fire Safety get together with the Department of Labor to work on updating the antiquated Fireworks Act. Director Petrillo answered that the Division is scheduled to meet with the Department of Labor this Friday to coordinate their efforts on this issue.

Dave Perry from Lower Township asked Chief Kramer a question regarding the new code. He asked if the fire officials and local enforcing agencies were going to be notified as to how to handle citing the new code regarding retrofit requirements. Chief Kramer answered that during the code update courses, in the specific retrofit provision in Subchapter 3, what is being taught is that "if it looks like a retrofit, walks like a retrofit, it's a retrofit" and you can not enforce it. Hopefully this is being emphasized like it should be by the course instructors, but the Division will be sure that it is in the fall semester. Also, the Division of Fire Safety, Codes and Standards, and the Codes Advisory Council will be going over the 43+ pages of what they feel are retrofit that is still in the new code. The pages will be methodically removed, then any material that Codes feels is appropriate can potentially added as an amendment to Subchapter 4. Mr. Perry requested that the fire officials and local enforcing agencies be kept in the loop as to what is going on with the code as this issue progresses.

K. Adjournment

Chairman Wisniewski thanked the Toms River Fire Commissioners for hosting today's meeting, as well as providing the refreshments for breakfast and lunch.

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 12:34 PM.

*** The next meeting of the Fire Safety Commission will be on September 16, 2009 at 12pm. It will be held at the Wildwood Convention Center (Meeting Room A/B) in Wildwood, NJ. ***