

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

Meeting of September 16, 2009

The NJ Fire Safety Commission meeting was held on Wednesday, September 16, 2009, at the Wildwood Convention Center in Wildwood, NJ.

Commission Members Present: Mr. Pasquale Intindola, Vice-Chairman
Mr. Charles W. Schilling
Mr. C. Kenneth Anderson
Mr. Paul Hartstein
Mr. John Lightbody
Mr. Armando Roman
Ms. Kathleen O'Leary
Mr. Lawrence D. Wood
Mr. Roger Potts
Mr. Daniel DeTrolio
Mr. Arthur Mercurio
Mr. Lewis Candura

Commission Members Excused: Assemblyman John Wisniewski, Chairman
Mr. Steve O'Gorman
Mr. Arthur Londensky

DCA Staff Members Present: Lawrence Petrillo, State Fire Marshal
William Kramer, NJDFS
Lou Kilmer, NJDFS
James McFadden, NJDFS
Charles Luxton, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
Heather Allen, NJDFS
Chris Eckert, NJDFS
Jeffrey Silver, NJDFS
Craig Augustoni, NJDFS
Jason Spiecker, NJDFS
Stephen Letts, NJDFS
Glenn Smyth, NJDFS
Josh Lazarus, NJDFS
Bob Kozlowski, NJDFS
Walt Larcombe, NJDFS
Michael Gallagher, NJDFS

Steve Hearn, NJDFS
Michael Whalen, Codes and Standards

Guests:

David Perry, Lower Twp.
David Kurasz, NJFSAB
Ronald McGowan Jr., West Wildwood FD
Bob Yaiser, Toms River Fire Prevention
Ray Lonabaugh, NFSA
Michael J. Reed, Burlington County FM Office
Robert Myers Jr., Goshen Fire
Albert S. Beers, Cape May FM
Donna Blackley, Lower Township
Michael Corbo, Atlantic Co. Fire Academy
Levon Clayton, Longport Fire Dept.
Mark Gose, Wildwood FD
Joe Becht, Lower Twp.
Stanley Sickels, Red Bank Fire Marshal/NJFPPA
John Drucker, Red Bank Fire Marshal's Office
J. Gregory Neill, City Of Wildwood
Lewis Ostrander, City of North Wildwood FPB
Glenn Franzoi, City of Wildwood
Richard E. Dean, Borough of Avalon
Kathy Elwell, Bureau of Fire Prev. FD #1
John Reardon, Bureau of Fire Prev. FD #1
Calvin J. Back, Bureau of Fire Prev. FD #1
Alice Wood, CFD
Paul E. Short, Sr., Borough of Avalon
Neal Carroll, NJ 9-1-1 Commission
Daniel Spiegel, Wildwood FD
Dominick McClain, North Wildwood FD
Calvin Back Jr., Middle Twp.
Virginia Westerland, Middle Twp.
Robert Elwell Jr., Cape May FD
Conrad Johnson Jr., Wildwood FD
Ronald Harwood, Wildwood FD
William J. Cripas, Wildwood FD
Jim McIntyre, NJDFS – Retired
William E. Rieger Jr., Woodbury FD
William Volk Jr., Woodbury FD
Michael Weill, Wildwood FD

A. Call to Order

In the absence of Assemblyman John Wisniewski, the meeting was chaired by Vice Chairman Pasquale Intindola. The meeting was called to order at 10:08 AM. Acting Chairman Intindola thanked the NJSEA, Chief Conrad Johnson, and Al Beers for helping to put this meeting together today.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of July 15, 2009, were approved.

C. Correspondence

Vice-Chairman Intindola 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

Vice-Chairman Intindola 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 reported that there was a fire fatality in a group home in Toms River recently. This has caused a lot of concern about how residents are placed into homes such as these, which tend to be classified as "Oxford homes". The Division of Fire Safety has identified a number of residences that the courts have been using as something of a half-way house. The Division has been doing spot-checks of these homes, concentrating mostly in the Monmouth/Ocean County area. Some were in compliance, others were found to be over-crowded or have a lack of smoke/CO detectors. The Division is working with the owners to bring these types of homes up to compliance, and DFS staff is working on looking into this problem throughout the entire State.

Director Petrillo spoke about a recent incident in Sussex County in which a firefighter was severely struck by a manifold that had failed. Fortunately, the injuries sustained were not life-threatening, but very serious nonetheless. The Division of Fire Safety has been, and will continue to be, very much involved in the investigation of this incident. Chief Kramer added that it was an LDH manifold that failed, the same manifold that failed last year. The Division of Fire Safety did put out a safety alert on this manifold and it is very important to be aware of.

The Division of Fire Safety has been heavily involved in the homeland security initiative of preparing for a potential, and more severe, comeback of the H1N1 virus this fall. As data on this pandemic comes in, the Division will be disseminating that information to the State's fire service.

The September 8th edition of the *New Jersey Register* has the new proposal for the 2009 ICC code, which contains the requirement for fire sprinklers in one- and two-family homes. The Division of Fire Safety views this as a great move forward and, if passed, would require that newly built one- and two-family dwellings be sprinklered. The public

comment period on this proposal runs until November 7th. Director Petrillo highly recommends all members of the fire service to send in comments in support of this requirement. This is a very important step in saving the lives of New Jersey's citizens, as well as its firefighters. Acting-Chairman Intindola added that the proposal also includes the Building Code and it is available online. It is about 75 pages long.

Director Petrillo reported that there is a new Terrorism Awareness course that is going to be available for firefighters at the training academies and eligible organizations.

The Division of Fire Safety has received 2,700 Firefighter I training manuals and they will be available for every new firefighter recruit throughout the State. Director Petrillo thanked former Commissioner Joe Doria and Acting-Commissioner Charles Richman for their dedication and support in getting these manuals for New Jersey's firefighters. The new books are published by Jones & Bartlett, and they were delivered to the academies with very little lag-time since the academies ran out of the old books.

Chief Lou Kilmer spoke briefly on a couple of responses to issues from the previous Commission meeting. The Inspections Unit has gone out and updated its data on the High-Rise survey and cited the buildings that were in violation appropriately. Also, the Standpipe Survey was further investigated by Division of Fire Safety Staff. It was originally reported that 108 high-rise buildings did not have standpipes. Of those 108, 102 were verified to have standpipes. One does not have standpipes and is vacant and scheduled to be demolished. Three do not have standpipes but are vacant and under violation. One does not have standpipes; however, it is a manufacturing use group built in compliance with the NJ Uniform Construction Code. One is under renovation and the standpipes were removed without approval; a stop work order was issued by the construction department. Lastly, one was not identified on the original survey that does not have standpipes. All of this information was distributed via a memorandum from Paul Allen of the Division's Local Assistance Unit.

Chief William Kramer reported that the Firefighter I manuals that State Fire Marshal Petrillo spoke about are also good for using in Firefighter II. The same exact manual can be used. Train-the-trainer programs are scheduled for next Monday, Tuesday, and Wednesday, and shortly following those courses the new program should be in use. Acting-Chairman Richman has requested that the Division revisit its accreditation issue with respect to all the programs and certifications that we offer that may be eligible for national accreditation.

The Division of Fire Safety is in the process of tweaking and finalizing a new training program that deals with building fires and incidents involving solar panels. Chief Kramer said that a couple sponsors have been identified to reproduce a PowerPoint presentation and poster outlining how to deal with solar panel incidents. These will hopefully be sent to all fire stations in the State by the next Commission meeting.

Chief Kramer spoke about the potential oncoming threat of the H1N1 virus this fall. The Division of Fire Safety has been working with the Office of Homeland Security and

Preparedness on coordinating the response to this pandemic. Chief Kramer urged everyone to be aware and prepared for the possibility of having an absenteeism rate of 30-70% when the disease hits this area. Every fire department and emergency response unit needs to be aware of the health of its personnel to prevent the unnecessary spreading to keep the workforce strong. This includes keeping employees who are infected, or have infected family members, home from work. News is expected soon regarding the vaccinations for the H1N1 virus and who will be eligible for it.

Acting-Chairman Intindola inquired about the latest on the Division of Fire Safety's Peer Review. Director Petrillo answered that the last Peer Review was held in mid-May and there were three sanctions for various reasons. There has been a settlement in two of those cases, and they are currently still working with the third as the result of an appeal.

Commissioner Lawrence Wood spoke briefly on the Firefighter I and II manuals. He thanked and congratulated the Division of Fire Safety, and the DCA Commissioners who were instrumental in continuing this program. Commissioner Wood asked about the availability of the train-the-trainer programs, and asked that the Division consider holding some of those courses at night to accommodate trainers that work other jobs during the day.

Commissioner John Lightbody asked a question regarding the issue of group homes/Oxford houses. He requested that the local enforcing agencies be given a list of these homes so that they can be aware of them and be sure that they are in compliance. Director Petrillo said that list could be made available for the local fire officials' use.

Commissioner Arthur Mercurio asked about the possibility of getting identification cards for the members of the New Jersey Fire Safety Commission. It was decided that the Commission get new ID cards if they need them, and they could see the NJDFS photographer Jerry Clark following the meeting to have their picture taken.

Commissioner Paul Hartstein asked about the issue of Oxford Houses and if there was any new information in regards to the codes that had to do with zoning. Director Petrillo said that the Division of Codes and Standards has recently put out a bulletin with information about requirements for Oxford House-type operations. Director Petrillo suggested having this bulletin sent out again. Chief Kramer added that many of these homes claim to be Oxford Houses, or Oxford-type houses, and register that way but they are not. The problem is there is no way to track these situations until there is a problem – and this is an ongoing struggle. Locating these homes is a major challenge and there are a lot of them throughout New Jersey.

Director Petrillo spoke on the issue of Solar Panels. He urged the members of the fire service present, and the New Jersey fire service as a whole, to be aware of the issue of solar panels. These are popping up every day in every corner of the State, and pre-planning needs to be done by the fire service to prepare for incidents involving solar panels, as they have very specific hazards related to them.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling echoed Chief Kramer's sentiment as related to the Oxford Houses that aren't really Oxford Houses. They classify themselves as Oxford-like and they are extremely difficult to locate until a problem arises.

Commissioner Schilling spoke about the September 8th edition of the *New Jersey Register* and the fact that the requirement of fire sprinklers in one- and two-family dwellings was a part of it. It should be interesting to see the response during the public comment period, and we will see what direction the proposal is going once this comment period is over.

The Codes Advisory Council had a lengthy discussion on why vacant buildings need to be registered. The most important reason was firefighter and public safety. Other reasons cited were to make sure the fire suppression equipment remained active and the building owner was known. Some other concerns discussed were commercial vs. residential properties and what the fee should be.

Chief William Kramer reported that he had the final draft of the Mattress Flammability Law sent out to all members of the Codes Advisory Council. The Council had no new comments on the proposed rules and agreed with the final draft. Also, Josh Lazarus from the NJDFS has been working on a Jewelers Torch Flashback and Backflow Device bulletin. There will be a draft ready for the Codes Council's review for the next meeting.

The Codes Advisory Council also discussed the issue of a new entertainment system known as "GAMIN'RIDE". It is a mobile video game theater that is a vehicle contained within a trailer. There is no control of these at the present time. The Codes Advisory Council cited several possible problems with these types of devices and is looking into the issue. Michael Whalen of Codes and Standards said that they are waiting to hear back from the Industrialized Building Commission about how these trailers are going to be inspected and dealt with.

A Committee has been established to start looking into the 2009 IFC Code and reviewing the changes contained within it. The Codes Council has also raised the issue of the installation of private yard hydrants. Gary Licknack of the Contractor Certifications Unit indicated that the statute does include all underground work and the Contractor Advisory Board will be looking into this issue.

The next meeting of the Codes Advisory Council will be held at the Middlesex County Fire Academy at 9:30 am on October 21, 2009.

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 August 18th at the Dempster Training Center at 10 AM. The minutes of this meeting are contained in the Commission packets.

At the last Fire Safety Commission meeting, my motion to endorse recommended changes to the Fire Officer standard was tabled. Director Petrillo offered to facilitate a meeting of stakeholders to comment on the Proposal. The meeting was held on July 31st. There were more questions than solutions. Some of the concerns are: Studying for DOP exams should count for something. A department might conceptually agree with the standard, but the costs to comply, considering backfilling, etc., might not fit the budget. If DOP put the certification requirement on the individual, the town wouldn't have to meet the costs.

On August 6th, a summary of the meeting was sent to the members of the Commission, T&E, the Tier-I EOs, and the attendees of the meeting. All were invited to the T&E meeting.

T&E agreed that it is necessary to address the questions. That will be accomplished best if everyone concerned is in one meeting. First, Division staff should meet with DOP and DOL to brief them on our objective of developing a reasonable certification standard for fire officers and to see where they might be of assistance and where they have regulations that conflict with ours and/or how they might make some changes in their procedures that would better accomplish our proposal.

Then, schedule a location for a meeting where T&E, Tier-I EOs, Fire Safety Commission, and the Stakeholders would be invited. DOP and DOL representatives would be encouraged to attend. Some background information should be distributed with the invitation, but there would be three basic questions for the agenda:

- (1) What proficiencies should a Fire Officer have?
- (2) What are the problems associated with these?
- (3) How can those problems be addressed?

Kent Neiswender reported on many projects including:

- The Fall Semester brochure is finalized. It's on the website. Registration opened September 24th.
- The contract for Firefighter I Text has been awarded to Jones & Bartlett
- The concept of web-based testing and re-testing will be investigated.
- The long-awaited revisions to the Instructor Certification standards will be published in the Register with the change to list Jones & Bartlett as the required text for Firefighter I.
- The Division has received a grant from FEMA to conduct IMS specific title training.
- The Solar Panel class will be a half-day session at the FI/FO Retreat.

The RIC Committee met and reviewed the work it had done. The written recommendations for Awareness and Ops modules, Instructor criteria, RIC leaders and supervisors, and tips on RIC for Fire Officers are being edited and rewritten in a final form. PowerPoints and instructor and student manuals for the Awareness and Ops modules are being prepared. It is planned that the package will be prepared before the October T&E meeting so it can be endorsed by the Council.

Council members were concerned that attendees of a course in the Spring Semester were reporting that they were qualified RIC instructors. We were assured that the course was offered for CEU credit, but it was not a Division-approved RIC training program.

Additionally, there was concern about a private company that advertises on its website that it has the “State of New Jersey’s first approved RIT Operations Course.”

The Driver Training and Certification Committee presented a statement of goals and objectives for consideration. The overall objective is to develop a voluntary emergency vehicle driver training, testing, and certification program that is accepted by the Council, endorsed by the Fire Safety Commission, adopted by the DCA Commissioner, and approved by the NJ Division of Motor Vehicles for special endorsement to an existing non-CDL licensed driver. Further details are in the T&E minutes.

In matter of interest, Chief Kramer reported that Codes and Standards was publishing a Proposal in the September 8th Register, that includes the requirement of fire sprinklers in townhouses and one- and two-family dwellings.

Commissioner Anderson prepared the annual report on the work of the T&E Council and submitted it to the Commissioner and Chairman. Copies were distributed electronically to all Commission members.

The next T&E Council meeting will be October 20th at the Dempster Training Center at 10:00 am.

Commissioner Hartstein asked about a recent meeting of the RIC Committee, as one of his group from Camden County had not been informed that they were meeting. Commissioner Anderson responded that it was an oversight and will make Commissioner Hartstein aware in the future.

3. Statistics and Information Advisory Council

In the absence of Commissioner Gerard Naylis, no formal report of the Statistics and Information Advisory Council was given.

Heather Allen, of the Division of Fire Safety’s NFIRS Reporting Unit, gave a brief report on the latest reporting data the Division is receiving. Currently, 94% of fire departments are reporting for the year 2008 and those numbers are still rising. The Division has begun withholding AFG grants from fire departments who fail to report and this seems to be working in increasing the percentages. Also, the “Fire In New Jersey – 2008” report is

nearing completion and should be done and posted on the NJDFS website sometime in mid-October.

4. Master Planning and Research Advisory Council

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

A discussion was held on Senator Bateman's Bill and all members were pleased that the proposed legislation was withdrawn. We will be following up to assure that all Legislators are advised of the true facts as to why sprinklers are needed, not these myths and untrue statements that are being spread by the opponents.

Mr. Duffy, Chairman of the Contractors Advisory Board, and members of this group advised the Coalition of their support of the amendments to sprinkler all new one- and two-family dwellings as set forth in the IRC Code. We also reviewed the Standards for the Certification of Fire Equipment Contractors. It was concluded that the advisory board needed to be included in any matters concerning changes to the statute of its regulations. Four members of the advisory board have been appointed to work with the Coalition.

There was a long discussion on the multi-purpose P-2904 sprinkler systems. These systems are in the IRC under the plumbing sections of the code. It was made clear the code does not say what type of system is required; it can be multi-purpose, 13-D or 13-R.

We were advised of the various counties that will be demonstrating the residential sprinkler side-by-side burn rooms. We were then advised that the fight was not over, whereas the opponent – the National Builders Association – was attending the Maryland code hearings conference in an attempt to remove the sprinkler amendments from the IRC. It is imperative that the State of New Jersey have as many code officials as possible attend these hearings on October 28th and 29th. We can not afford another Rochester, NY, being defeated by only 75 votes.

Commissioner Intindola advised the group on the lawsuit filed by the New Jersey Building Inspectors Association regarding UCC personnel cutbacks taking place throughout the state by local municipalities.

A discussion was held in reference to our annual report, which shall be completed and submitted within the next three to four weeks.

The next meeting of the Master Planning and Research Advisory Council will be November 9, 2009, at the Middlesex County Fire Academy at 10 am.

5. Public Education Advisory Council

Commissioner Daniel DeTrollo reported that the Public Education Advisory Council met on September 10, 2009, at the Middlesex County Fire Academy. The minutes of this meeting are contained in the Commission packets.

Commissioner DeTrollo said that he thought it might be a possibility that Governor Corzine would sign the Novelty/Toy-like Lighters Bill at the upcoming Firemen's Convention this weekend here in Wildwood. While neither he nor State Fire Marshal Petrillo has heard any confirmation on this matter, the important this is that it gets signed at some point in the near future – no matter where or when it takes place.

Commissioner DeTrollo said he would be meeting with Assemblyman Wisniewski in the near future in regards to the Recruitment and Retention Committee. Alan Musicant has resigned and Commissioner DeTrollo would like to get the Chairman's input on this matter before moving forward with anything.

The preliminary planning for the 2010 New Jersey FIRE Bowl is already in the works, and the final event will most likely be held at Kean University's Wilkins Theater. The Division of Fire Safety is working on the ever-expanding program and could have up to 6-7 school districts participating this year.

The Fire Safety Poster Contest winner had 4,000 copies of their poster re-created and printed by Atlantic City Electric and distributed throughout the State. Each counties Poster Contest Coordinator has received their share of copies. Also, the applications for the 2009-2010 have been mailed out in early September. The applications are also available on the Division of Fire Safety website.

The next meeting of the Public Education Advisory Council is scheduled for November 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 September 9th at the Middlesex County Fire Academy. A big topic of discussion was the upcoming Juvenile Firesetter Conference.

The 2009 Juvenile Firesetter Conference is scheduled for December 3rd and 4th and it will be held once again at the Middlesex County Fire Academy. Don Rimer is scheduled to present his "Ritual Crimes and the Occult" program all day on Friday. Also, on that Thursday night there will be a meet-and-greet type reception to host legislators and discuss various topics related to the issue of juvenile firesetting.

A Juvenile Firesetter Specialist I program was recently completed successfully in Sussex County in late August. There is another program scheduled to take place in Wildwood this week to coincide with the Firefighter's Convention.

Camden County will be presenting an awareness program entitled “Working with the Firewatch Program”. The program will be presented twice in the coming weeks and lunch will be provided. All are encouraged to attend.

The next meeting of the Juvenile Firesetter Prevention Council will be November 4, 2009, at 10 AM at the Burlington County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

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

Acting-Chairman Pat Intindola noted that the upcoming vote of the International Code Council on the residential sprinkler issue is scheduled to take place in Baltimore, Maryland, on October 28th and 29th. Several members of the Commission urged as many New Jersey representatives as possible to go down to the Conference and vote to keep the sprinkler requirement in the 2012 edition of the IRC. Michael Whalen added that the voting will begin on the 28th and continue into the 29th until it is finished.

Commissioner Lawrence Wood made a motion that the Commission, as a whole, draft a letter in support of the residential fire sprinklers regulations. The motion was seconded by Commissioner Lightbody and passed unanimously.

H. Old Business

Commissioner Lewis Candura inquired about a report that was requested at the last Commission meeting. Commissioner Candura had asked Gary Licknack of the Contractor Certifications Unit to put together a sanitized report of any problems that the Unit is experiencing with fire protection contractors. Director Petrillo answered that Mr. Licknack is currently working on this report and should have it available by the next Commission meeting in November.

Commissioner C. Kenneth Anderson asked if there was any update about information in regards to retro-fitting the UASI apparatus with back-up cameras. Chief Kramer answered that Commissioner Steve O’Gorman has been working on this issue and trying to figure out the cost of representing these vehicles. Commissioner O’Gorman has also been working with Assemblyman Wisniewski on how the funds might be secured to purchase these cameras.

Commissioner Wood asked about the State-wide Mutual Aid Requirements. Director Petrillo answered that the Division is looking at the Deployment Act but there are still fundamental problems with putting together a template for the entire state. Unless there is a commitment from Law & Public Safety to endorse this, the Division will not be able to have jurisdiction to require these State-wide Mutual Aid plans. However, the Deployment Act does address the establishment of mutual aid plans, which are reviewed

by county; the county plans are then reviewed by the State. Chief Kramer added that one of his Regional Coordinators is in attendance today and he has an example of a County Mutual-Aid Plan if anyone would like to review it.

I. New Business

Commissioner Anderson gave an update on the status of the Mid-Atlantic Fire Safety Commissions Conference. It was originally scheduled to Tennessee, but Commissioner Anderson recently received word that it will be held now in Kentucky. It will be the first week in November and Commissioners Anderson and Mercurio are planning on attending, albeit with no financial support from the State. This year one the main themes will be the relationships between State Fire Safety Commissions and their respective Office of Homeland Security. Commissioner Anderson asked that if any Commissioner had something to add to New Jersey's report on this topic, to contact him or Commissioner Mercurio as soon as possible.

Acting-Chairman asked if the arrangements had been made for a room for November's Commission meeting at the Atlantic City Convention Center. Stanley Sickels answered that it would be held on November 18th at one of the large meeting rooms *outside* the actual League of Municipalities Convention. No one should have to pay any kind of registration or entrance fees to attend the meeting.

J. Public Comment II

Wildwood Crest Fire Chief Al Beers read two letters that he had written in regards to the progression of the New Jersey Division of Fire Safety, one from 1996 and one from 2009. In the letters, Chief Beers outlines many of the shortcomings of the Division of Fire Safety and illustrates the lack of progress, even regression, of the NJDFS throughout the past thirteen years. Every Commission member was provided with a copy of both letters by Chief Beers. Commissioner Intindola asked that Chief Beers attend one of the Codes Advisory Council meetings to witness first-hand how hard the Commission and Council members work and how much is accomplished.

State Fire Marshal Petrillo took exception to Chief Beers's sentiment that the New Jersey Division of Fire Safety is failing at completing its duties and objectives. On the contrary, Director Petrillo feels that his staff is second to none and has seen many improvements and achievements in a time when staffing numbers have dwindled and funding has been limited due to the economic climate. Chief Beers urged that his letters were not an attack on the Division or its staff, but rather a call to the Commission and New Jersey's fire service that they need to be fighting and advocating for the Division of Fire Safety to get it the proper amount of funding, staffing, and support. He commended Director Petrillo and his staff for their work under these dire conditions, but the Commission and fire service in general now needs to band together to right these conditions and get the Division the help it needs. Director Petrillo also suggested that he and Chief Beers meet following the meeting to discuss and correct some of the statistics that are cited within the two letters.

North Wildwood Fire Official Lewis Ostrander spoke on the topic of the funding of the Division of Fire Safety. He stressed that the moneys that are collected by fire officials at the local and county level, which are designated for the fire service, should be going to fund the Division of Fire Safety's operation. Mr. Ostrander praised the Division for the hard work it does perform while not getting the level of support from the Fire Safety Commission and legislators that it deserves. He expressed his disappointment that there was not one legislator at today's meeting.

Mr. Ostrander asked Director Petrillo if he had ever been appointed by Governor Corzine, as the Governor had promised at the 2008 Firemen's Conference. Director Petrillo answered that while there no "ceremonial" appointment has taken place, he has served in the position of State Fire Marshal with the confidence and support of Governor Corzine for the past four years.

Mr. Ostrander urged the Fire Safety Commission as a whole to stand up for and represent the Division of Fire Safety to the state's fire service. He used the example of the NJDFS being furloughed as an issue that the Commission should be going to the State's lawmakers and the Governor on. He urged the Commission to be the fire service's voice in the Governor's office. Commissioner Mercurio argued that the Fire Safety Commission is not a political body and does not represent the Governor. Mr. Ostrander contended that it is a political body since all the appointments are made by either the Governor or Assembly Speaker/Senate President. Commissioner Mercurio told Mr. Ostrander to go to Trenton, to go to Council meetings, and directly involve himself in the process. Mr. Ostrander feels that this is the job of the Fire Safety Commission, to be the fire service's representation to the government. Mr. Ostrander also feels that the Fire Safety Commission could be stronger and better served if there were no legislators on it. He suggested speaking to the Governor about possibly making this change.

Mr. Ostrander spoke about the vast numbers of firefighters in the State and their need to get together and fight as one. He used the police officers of the State that presents a largely-unified front and would not stand for the kind of treatment that the fire service does. He cited that the fire service in New Jersey has too many different organizations and factions, and they all need to get together and fight as one. Mr. Ostrander also asked why the Firefighter I textbooks are always changed to be printed/published by the lowest bidder. He urged the Division to go with the best product regardless of cost. State Fire Marshal Petrillo answered that cost was not the only determining factor in Jones & Bartlett being the Firefighter I textbook for New Jersey. Many other factors were taken into consideration, and he would be happy to meet with Mr. Ostrander and discuss those with him.

On the subject of the appointment of State Fire Marshal Petrillo, Commissioner Candura added that the Governor himself is only one person. The ball on this appointment had possibly been dropped by his support staff in the Office of Appointments, and they should be held accountable as well. Mr. Ostrander stressed that the Commission should be the ones beating on their door, the lawmakers as a whole, to hold them accountable

and get things done for the Division of Fire Safety and New Jersey's fire service community.

David Kurasz from the Fire Sprinkler Advisory Board thanked the Fire Safety Commission for moving to pen a letter in support of the one- and two-family residential fire sprinkler regulations. Mr. Kurasz took it one step further and presented ready-made letters that people could sign and send in to report these regulations. He expressed the importance and life-saving benefits that these regulations could provide to both the firefighters and citizens of New Jersey.

Red Bank Fire Marshal Stanley Sickels thanked Al Beers and Lew Ostrander for their comments in support of the Division of Fire Safety and echoed their sentiment that the Fire Safety Commission needs to better support the Division. Mr. Sickels used the recent death in Toms River as an example of the potential erosion of the effectiveness and communication abilities between State agencies and the fire service. Mr. Sickels sees this as a significant problem that needs to be fixed before it gets any worse. We can not let the problems of the past repeat themselves. The enforcement of the fire code on the local level, as well as the state level, needs to be a top priority. The Fire Safety Commission needs to bring this message of fire safety to the legislature.

Mr. Sickels spoke about the upcoming vote on the residential sprinkler issue of the International Codes Council in Baltimore. Mr. Sickels feels this is the most important fire safety issue for firefighters. It is extremely important to get the fire service behind this and start suppressing buildings for the safety of our firefighters. He feels this could be a huge first step towards increasing protection in the area where the most lives are lost – in one- and two-family residences. Mr. Sickels also spoke on the importance of maintaining funding for fire safety inspections despite the economic conditions. Also, fire officials need to be tenured and enforce Subchapter 4. Mr. Sickels understands that this is a legislative move and asked that the Fire Safety Commission advocate strongly for this. Commissioner Intindola stated that the Commission has made attempts to get this tenure in the past, and he will personally get the ball rolling to try it again. Commissioner Lightbody added that they had come close to getting legislation with this tenure in the past, but a failure in communication resulted in the effort falling flat.

Fire Official David Perry from Lower Township asked if and when fire officials were going to be alerted as to what sections of the new code should be enforced and what parts are under review. Chief Kramer answered that in 3.1 it specifically states that Subchapter 3 should not be used as a retrofit. So whatever issues a local official comes across in Subchapter 3 that requires anything new, it is a retro-fit and is not to be enforced. The 43 pages of the code that Chief Kramer spoke about previously have not been removed and are now in the review process by the Codes Advisory Council. Chief Kramer said, according to the current regulations, it's up to the individual to determine whether if it is a retro-fit, and if it is - to not enforce it. Stanley Sickels elaborated on this issue by adding that Subchapter 3 can be modified by local towns, and add things that are more stringent than the Uniform Fire Code as long as they aren't more stringent than the Uniform Construction Code.

Fire Official Mark Gose from the City of Wildwood inquired about what direction the Division of Fire Safety is headed in regards to computers and information technology. While the NJDFS has certainly improved recently, there are still so many things missing from the computer system that could be added to greatly enhance the abilities of the local fire official. Mr. Gose said the process of collecting fees and monitoring registrations could be made a lot easier and more effective with better technology. Chief Kilmer answered that there are registration listings on the website; however, the only thing that isn't currently shown is the status of the registration. State Fire Marshal Petrillo added that the Division is moving slowly, but diligently, forward with the new computer system that will include all this information.

Mr. Gose spoke about the issue of access to one- and two-family homes. He cited examples from Cape May County where these residences are being used as group homes and rooming houses. This is something that a lot of local fire officials are upset about. Mr. Gose also spoke about the issue of loss of funding for local fire officials and the enforcement of the fire code. This is a major problem in all the counties in South Jersey. Mr. Gose also asked that communication from the Division of Fire Safety on the interpretation of the code be disseminated. He said that he would never had gotten the information given by Chief Kramer to Dave Perry if he had not attended today's meeting, and asked the this information be sent to local fire officials. State Fire Marshal Petrillo said that the Division has increased communication on this and other topics, mostly through the NJDFS website, and will do so more and more in the future.

Commissioner Candura asked State Fire Marshal Petrillo if he was, in fact, the appointed Director of the Division of Fire Safety. Director Petrillo said that he was appointed by Governor McGreevey and has served as such ever since. While he was not been ceremonially appointed again by Governor Corzine, he has been serving at the pleasure of the Governor since his election four years ago.

K. Adjournment

Vice-Chairman Intindola asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 2:38 PM.

*** The next meeting of the Fire Safety Commission will be on November 18, 2009 at 10am. It will be held at the Atlantic City Convention Center (Exhibit Hall A) in Atlantic City, NJ. ***