The New Jersey Fire Safety Commission meeting was held on Wednesday, July 18, 2007, at the Toms River Fire Academy in Toms River, NJ.

Commission Members Present:  
Mr. Pasquale Intindola, Acting-Chairman  
Mr. Charles W. Schilling  
Mr. C. Kenneth Anderson  
Mr. Arthur Londensky  
Mr. Arthur Mercurio  
Mr. Paul Hartstein  
Mr. Lewis Candura  
Mr. John Lightbody  
Mr. Gerard Naylis

Commission Members Excused:  
Assemblyman John Wisniewski, Chairman  
Senator Anthony R. Bucco  
Mr. Richard Blohm  
Mr. Steve O’Gorman  
Mr. Daniel DeTrolio  
Ms. Kathleen O’Leary  
Mr. Lawrence D. Wood

DCA Staff Members Present:  
Lawrence Petrillo, State Fire Marshal  
Don Huber, NJDFS Chief of Staff  
William Kramer, NJDFS  
Charles Luxton, NJDFS  
Heather Puskar, NJDFS  
Gary Licknack, NJDFS  
Jim McIntyre, NJDFS  
Charles Lavin, NJDFS  
Michael Whalen, Codes and Standards  
Gerry Grayce – Codes and Standards

Guests:  
Chuck Augenbaugh – NJ Deputy Chiefs Assn.  
Dawn Foote – B.L.F.A.R.S.  
Elizabeth Sweeney – Fort Monmouth F.D.  
Tom Pizzano, Sr. – Codes Council  
Tom Pizzano II – Millburn Fire Marshal  
Bob Yaiser – Toms River Fire Prevention
A. Call to Order

In the absence of Chairman John Wisniewski, Acting-Chairman Pasquale Intindola brought the meeting to order at 10:05 AM and pointed out the fire exits.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of May 16, 2007, were approved.

C. Correspondence

Acting-Chairman Intindola noted that all correspondence is contained within the Commission packets. With no discussion requested on any of the correspondence, the meeting moved to Division of Fire Safety Activities.

D. Division of Fire Safety Activities

State Fire Marshal Lawrence Petrillo started off his report by thanking the Toms River Fire Academy for hosting today’s meeting and graciously providing both breakfast and lunch for the Commission.

State Fire Marshal Petrillo reported that the most pressing issue since the last Commission meeting was the Division’s response to the firefighter safety mayday signal versus the emergency traffic proposal. This issue has been talked about by the Commission since roughly September 2005, and last year the Division of Fire Safety did propose having this emergency signal, ‘mayday’, in the State Register. The Division of Fire Safety is mandated to follow NIMS requirements, and at the time NIMS was saying they were adopting the Firescope National Wildland Group NFPA 1561 as the standard for firefighter emergencies. The Division of Fire Safety has since proposed to have ‘emergency traffic’ instead of ‘mayday’, but after speaking with the NIMS people in Washington – the general consensus is that ‘mayday’ is allowable in a regional situation. Therefore, the Division will propose to take ‘emergency traffic’ out and replace it with ‘mayday’. State Fire Marshal Petrillo said that he did appreciate the many impressive and informative letters that he has received on this matter.

State Fire Marshal Petrillo spoke about the large-scale forest fire that took place in South Jersey back in May. He congratulated the many fire departments that responded so well in containing this fire and coordinating a unified response to it. Fire departments from
Ocean, Burlington, Atlantic, Gloucester, and Monmouth Counties did a tremendous job of keeping the fire damage as limited as possible. State Fire Marshal Petrillo also noted how well several State agencies worked together under the Emergency Deployment Act.

State Fire Marshal Petrillo also spoke about a recent incident in Gloucester County at which lightning struck a storage tank. The incident was extremely well-handled and the needed firefighting resources were readily accessible. The fire was under control in roughly twenty minutes. The MAC-SICS group worked extremely well together.

State Fire Marshal Petrillo also mentioned the New Jersey FIRE Bowl event that took place back in May, which was again well-attended and well-run. He thanked Toms River Fire Prevention Officer Bob Yaiser for being instrumental in involving the Toms River Schools in the program.

Chief William Kramer reported on the recent firefighter line-of-duty death in Ridgefield Park, NJ. Firefighter Demsky passed away following a mutual-aid incident in Bogota, apparently from a heart-related issue.

Chief Kramer also spoke about the May forest fire in South Jersey and commended all involved for their dedication and vigilance in this extended incident. He particularly commended County Coordinators Brian Gabriel and Joe Lehman (Burlington) and Tim Smith (Monmouth). Chief Kramer also gave kudos to the Division’s Craig Augustoni and Mike Gallagher for their response and coordination of the incident.

Commissioner Arthur Londensky spoke about the recent International Code Council conference in Rochester, NY. A large contingent from New Jersey attended this conference in an effort to get residential sprinklers into the Code for 2009. Commissioner Londensky asked why the Division of Fire Safety and the State Fire Marshal were not in attendance to support this cause. Commissioner Londensky also asked why State Fire Marshal Petrillo did not attend the Poster Contest Luncheon after the NJ Fire Prevention and Protection Association had moved its meeting to conflict with the luncheon. State Fire Marshal Petrillo stated that, for a number of reasons, he can not be at every meeting, luncheon, event, etc. Director Petrillo said that the Division of Fire Safety has a strong concern and interest in fire prevention – as well as fire code development, adoption, and enforcement. Director Petrillo noted that the Division has been able to keep up with code enforcement, as well as public education programs, despite the fact that a significant amount of personnel has been lost in recent years.

Acting-Chairman Intindola spoke about the fact that the residential sprinkler proposal was not passed into the Code for 2009, and asked what could be done to get residential sprinklers into the Code for the State of New Jersey. Commissioner Londensky suggested the best route, at this point, would be to explore legislation in New Jersey because the International Code Council unfortunately does not feel the same need for sprinklers.
Commissioner Gerard Naylis talked about the possibility of getting legislation passed in New Jersey to require residential sprinklers. Commissioner Naylis feels that the International Code Council conference really served as a wake-up call to the fire service—they need to have much greater involvement in the development of fire codes.

Commissioner Naylis asked about the recommendation for either repeater or trump-breakers. The State does not provide the funding for these systems, yet it recommends that local entities have these expensive systems. Commissioner Naylis feels that this recommendation is disingenuous— to recommend that the local entity should have this, when it is clearly necessary. Chief Kramer responded to this inquiry and spoke about the regionalization of the fire services radio communications. The northeast part of the State has been reluctant to move in this direction, and departments have preferred to have their own dispatch systems. State Fire Marshal Petrillo added that a recent report that he has forwarded to the Governor deals a lot with this issue, and the issue of communications in general. Director Petrillo hopes to make this document public in the near future and begin working toward solving these problems with communications, as well as other areas.

Commissioner Naylis also spoke about the Rapid Intervention Team (RIT) requirement that two firefighters be required to carry out RIT operations. Commissioner Naylis said that NFPA’s standard of two (2) is too few, and the requirement should be changed. Director Petrillo responded that when this was adopted, they were mandated to be NIMS compliant. Since that time, the fire service has stood up and has looked to make changes such as the one Commissioner Naylis talks about. Director Petrillo said they will look into making these requirement changes while remaining NIMS compliant.

Acting-Chairman Intindola inquired as to how the Division, and Codes and Standards, has been doing with the International Fire Code. State Fire Marshal Petrillo said that the draft has been completed and it is currently being reviewed. It is hoped that the draft can get into the Register by July 20th. Director Petrillo is not sure whether it will be reviewed in time for that deadline, but the draft is complete and will, at the very least, make the next round in the Register. Director Petrillo commended Mike Whalen, Amy Frank, and the staff at Codes and Standards for their tremendous work in this area.

Commissioner John Lightbody talked about a recent article from USA Today that says the State of New Jersey has $5 million worth of unused anti-terrorism grant money. Commissioner Lightbody asked how the fire service could get a piece of this. State Fire Marshal Petrillo stated that it is not the fire service that is failing to spend this money—and has recently been commended for its ability to put homeland security dollars to good use. State Fire Marshal Petrillo said that the fire service has gotten some of this money for the Neptune System in South Jersey, and hopefully will be able to get more in the future.

Commissioner Lewis Candura spoke on the topic of the International Code Council in Rochester, and the reasoning behind the Home-Builders Association being against residential sprinklers. It was Commissioner Candura’s thinking that the Home-Builders
were against residential sprinklers because of their cost. However, a comment from the Cincinnati (OH) Fire Chief indicated that he was told the reason is because money can be made by builders after homes have burned down. If this is the case, this is a total disregard for human life and a change in their thinking needs to be made. Acting-Chairman Intindola suggested strongly pursuing legislation requiring residential sprinklers, because the simple fact is that they save lives.

Commissioner Naylis thanked the Division of Fire Safety and, in particular, Chris Eckert in providing guidance and teaching fire departments the steps that need to be taken in the case of a line-of-duty death. Unfortunately, this knowledge needed to be utilized in Ridgefield Park this past week.

Commissioner Charles Schilling referred back to the topic of the ‘mayday’ signal and asked if the Division had a copy of the proposal available for the Codes Council to look at. There are several questions regarding it being asking in the field and Commissioner Schilling would like to be able to provide some type of answer and direction.

Chief of Staff Don Huber expressed his condolences to Commissioner Naylis for the recent loss of his mother. The thoughts and prayers of the entire Commission are with him. Chief Huber reported that the services for Firefighter Steven Demsky will be held this Friday at 11am at St. Joseph’s Church in Bogota, NJ.

Chief Huber also mentioned that the retirement dinner for Bill Connolly of Codes and Standards will be held tomorrow night (7/19) in Trenton. The Division of Fire Safety is losing a tremendous friend and asset with the retirement of Bill Connolly, as well as the upcoming retirement of Gerry Grayce. Chief Huber also noted that Codes and Standards would be in extremely capable hands with Cindy Wilk as the new Director.

Chief Huber spoke about Bob Yaiser’s presentation of Toms River’s public education program which he recently saw at a Master Planning and Research meeting. The program in Toms River is tremendous, and should serve as a model throughout the State. Chief Huber was also impressed with Dover Township’s code enforcement software, which was put together by Kim Coddington and Specialty Systems.

Chief Huber reported that Assemblyman Wisniewski would be holding a press conference at the Middlesex County Fire Academy at 10 AM on July 23, 2007. The press conference is in regards to legislation requiring smoking receptacles and restricting combustible materials (i.e. mulch) around public buildings. If any fire services representatives can make it to the press conference, it would be appreciated.

Commissioner C. Kenneth Anderson talked about the proposals for changes to the incident management regulations that had been made at the end of 2005. There have been several changes to the proposals in the re-publishing of the document without the review of the appropriate Advisory Councils or the Commission. Commissioner Anderson said that the more support that can be garnered for positive changes, the more likely it is that something can get done. He asked that this procedure be followed in the
future. State Fire Marshal Petrillo responded that this has been discussed at several Commission meetings, but conceded that Commissioner Anderson was probably right – that a couple months for the Advisory Councils to review the regulations would not have hurt.

E. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that progress has been made regarding the International Fire Code and the draft has been finished. State Fire Marshal Petrillo said that the draft is currently under review and if it is not ready in time for the upcoming round for the State Register, it should certainly be included the next time around.

Commissioner Schilling reported that the Codes Council has reviewed the outside smoking receptacle/mulch legislation, and has made some recommendations on it. None of the recommendations were major. The Codes Council has also reviewed getting carbon monoxide detectors into day-care centers, and there should be little-to-no opposition to this. It was also proposed at the Codes Council to placard commercial buildings that have parapet walls. The Council reviewed this and decided that this is something that should be handled on the local level.

Commissioner Schilling spoke briefly about the retirement of William Connolly from Codes and Standards. Commissioner Schilling felt that Mr. Connolly has been a savior to New Jersey’s fire service and has been a great friend to the Division of Fire Safety and the Commission.

Mike Whalen, from DCA’s Codes and Standards, noted that a couple changes have been made to the drafts of the fire code, and the language of all those changes is contained in the Commission packets.

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 19th at the Dempster Training Center at 10:00 am. The highlights of the meeting were:

- Some questions in the Firefighter I test bank have been challenged. Some can be clarified. Others, for various reasons, are removed. Tier-I eligible organizations are asked to submit test questions for consideration to be included in the test bank.

- Tier-I eligible organizations that run Firefighter I and II courses have been asked to submit test questions for consideration to be included in the Firefighter II test bank.
The period to submit comments on the Proposal to create the Firefighter II standard has closed.

- Some test questions are currently considered appropriate for both Firefighter I and II texts. By motion, the Council directed that a separate test bank of questions be created for the Firefighter II program.

- The test bank of questions for Firefighter I include EMS questions. Module 22 of the Standard covers Cardio-Pulmonary Resuscitation. Emergency Medical Care is an optional module that is not required for New Jersey Firefighter I certification. By motion the Council directed that the First Aid questions be removed from the test bank.

- The wording for revisions to the Fire Officer Standard, as approved at the previous meeting, have not been prepared. There was further discussion about EOs offering Fire Officer I and II as separate classes. Also, how the equivalency (challenge) test would only be used for Fire Officer I certification.

Since the Council meeting, two Train-the-Trainer classes have been held for the Fire Officer courses. Clint Smoke, the author of the text, conducted them. Through questioning, there were some suggestions on how the two certifications could be divided. I anticipate further discussion by the Council and the Officers Committee.

- A Proposal as endorsed by the Commission for amendments to the Instructor Standards has not been signed and submitted to the Register. Our Committee reconvened and prepared a course outline for the Drill Ground Instructor certification which will replace the Smokehouse and Live Burn certifications. The Council is reviewing the outline and will act on it at the August meeting. I have also discussed with the Director the need for an RFP to fully develop the curriculum for this certification. Several existing things can be used, but there is no one course that we can adopt.

- The Council was concerned about the Proposal for amendments and the adoption of new Incident Management Regulations. The major concern was the requirement that “Mayday” not be used but that “Emergency Traffic” be substituted. This is contrary to what is being taught in Firefighter I courses and Fire Officer I courses. There was also discussion about the use of “RIC” (Rapid Intervention Crew/Company) vs. RIT and FAST which are taught in the existing approved courses. I was directed to submit comments about these inconsistencies.

- We briefly considered the bill that would required Autism Awareness training for all firefighters and how it might impact the Council, if the bill is enacted.

Attendance at the meetings has been good. However, there are a few members who have missed many meetings. I am contacting them to determine if they can increase their participation and if they wish to remain on the Council.
The next meeting of the Training and Education Advisory Council will be on August 21st at 10:00 am at the Dempster Training Academy.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that there has been continued progress with the NFIRS reporting systems throughout the State, and the current percentage of fire departments reporting is greater than 90%. The Statistics and Information Advisory Council will be holding their next meeting in August.

Heather Puskar from the Division of Fire Safety gave a report on the success of the State’s NFIRS reporting system. For 2005 and 2006, 95% of New Jersey’s fire departments are reporting. Also, eight counties have 100% of their fire departments reporting for the year 2006. So far in 2007, 78% of fire departments are reporting and that number continues to climb each month. New Jersey’s reporting system, in the past few years, has become one of the most comprehensive in the nation.

The Division’s NFIRS Unit has also recently sent out memorandums regarding the proper way to report incidents involving mulch, as well as standing by at fireworks displays.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council had met in both May and June, and they have spoken at length about the need for residential sprinklers in one- and two-family dwellings. Now that the Rochester conference is completed without changing the International Fire Code to include residential sprinklers, Commissioner Lightbody feels legislation is the way to get this done now and it needs to be done quickly.

Commissioner Lightbody spoke about the Division of Fire Safety’s website, and its need to be modernized and more consistently updated. The internet is a great source of information, and this medium should be utilized as well as possible to advocate for the State’s fire service.

Toms River Fire Prevention’s Bob Yaiser gave an excellent presentation at the most recent Master Planning and Research Advisory Council meeting regarding Public Education and Shared Services. Mr. Yaiser’s success with his public education program in the Toms River Schools can serve as a model for the entire State. Commissioner Lightbody was pleased to have Mr. Yaiser give this presentation with Chief Huber in attendance.

The Master Planning Council is continuing its research on 24-hour staffing of residential health facilities. They have found several different sets of standards at various State agencies. The Council is also continuing its work on researching the developing communities of New Jersey and the impact that they have on emergency services.
Commissioner Lightbody also spoke about the personnel problems that the Division of Fire Safety is facing. Without the proper staffing, the Division can not work for the State’s fire service at an optimal level. Commissioner Lightbody asked that an organizational of the Division’s personnel be made available so that the Commission can further examine the staffing problems that plague the Division.

Commissioner Lightbody reported that the Master Planning and Research Advisory Council is actively seeking new members, particularly in South Jersey. The Council is lacking sufficient representation from the south, and Commissioner Lightbody would like the Council to have more of a voice from that region.

5. **Public Education Advisory Council**

In the absence of Commissioner Daniel DeTrolio, no report was given.

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

In the absence of Commissioner Richard Blohm, no report was given.

F. **Committee Reports**

1. **Juvenile Firesetter Prevention Committee**

Commissioner Paul Hartstein reported that the Juvenile Firesetter Prevention Committee had met on July 11, 2007, at the Camden County Fire Academy. The 5th Annual Juvenile Firesetter Prevention Conference will take place on November 29-30, 2007, at the Middlesex County Fire Academy. The Committee is once again partnering with the International Association of Arson Investigators, and also looking into getting financial help from the Division of Fire Safety.

There will be a Juvenile Firesetter Specialist I course held June 18th & 25th at the Burlington County Fire Academy. Also, a program will be held November 12th and 13th in Wildwood, NJ, in conjunction with the New Jersey State Firemen’s Convention. Applications are available through Charlie Luxton at the Division of Fire Safety.

The Committee had a chance to review a new educational DVD entitled “To Hell and Back”. The video contained very graphic images and content, and relies heavily on shock value to convey its message. The Committee concluded that the video should be used tactfully, and only with older children.

Millburn Fire Marshal Tom Pizzano II spoke about possible legislation regarding the sale and distribution of matches, lighters, novelty lighters, etc. The idea is to make it illegal to sell these items to children. Acting-Chairman Intindola suggested presenting this to Assemblyman Wisniewski to explore a possible bill on this topic. Commissioner Arthur Mercurio urged that you need to hold the individuals who sell these items accountable to the items that they sell. Commissioner Hartstein made a motion that the Commission
officially support this legislation. The motion was seconded by Commissioner Mercurio and passed unanimously.

2. Residential Sprinkler Committee

Commissioner Gerard Naylis felt that the topic of Residential Sprinklers had been covered sufficiently during previous parts of the meeting. Therefore, the meeting was moved to Signal Booster Codes and Ordinances Committee.

3. Signal Booster Codes and Ordinances Committee

In the absence of Commissioner Lawrence Wood, no report was given.

G. Old Business

With no Old Business to discuss, the meeting was moved to New Business.

H. New Business

Commissioner C. Kenneth Anderson spoke about the upcoming Mid-Atlantic Conference in Virginia this September. Commissioner Anderson urged that it is important to be a good guest at these conferences, where issues are discussed and ideas are shared between State Fire Commissions. Commissioner Anderson asked about the availability of funds the State could provide those attending the conference, and made a motion that the Commission supports the request of funds for travel expenses. The motion was seconded by Commissioner Lightbody and passed unanimously. Commissioner Anderson also urged the Advisory Councils to complete their yearly reports on the progress they are making.

Commissioner Paul Hartstein spoke about the possibility of the Juvenile Firesetter Prevention Committee becoming an Advisory Council. A discussion took place as to how this could be done. Acting-Chairman Intindola made a motion that the recommendation be made that the Juvenile Firesetter Prevention Committee become an Advisory Council. The motion was seconded by Commissioner Londensky and passed unanimously.

Commissioner Lewis Candura spoke about a sprinkler demonstration that he would like to put on following the next Commission meeting in September. Commissioner Candura was directed to work in conjunction with Commission Secretary Charles Lavin in order to make the appropriate arrangements. Commissioner Gerard Naylis made a motion that the Commission supports this demonstration. The motion was seconded by Commissioner Anderson, and passed unanimously.

Commissioner Candura spoke about the problem of certifications for contractors installing fire sprinkler systems, etc. Commissioner Candura wanted to bring this problem to light and asked what avenues might be taken to eradicate the problem. State
Fire Marshal Petrillo said the avenue is through the Division’s Contractor Certification Unit. That unit, however, currently consists of only three individuals and it is greatly understaffed to handle the problems of the State.

Commissioner Arthur Londensky spoke about the upcoming retirements of William Connolly and Gerry Grayce from DCA’s Codes and Standards. Commission Londensky asked that resolutions be passed honoring both of these individuals, and made a motion that the Commission supports this. The motion was seconded by Commissioner Hartstein and passed unanimously. Commission Secretary Lavin will work in conjunction with Assemblyman Wisniewski’s office to get the resolutions done.

I. Public Comment

Mr. Chuck Augenbaugh, from the NJ Deputy Fire Chiefs Association, made several comments. Mr. Augenbaugh mentioned that the Assemblyman’s office can use Legislative Services to put together the resolutions for William Connolly and Gerry Grayce. Mr. Augenbaugh also spoke about an upcoming television appearance he would be making, where one of the topics he would be bringing up is the staffing of the Division of Fire Safety.

Mr. Augenbaugh spoke about the need to change the RIT Team regulations to recommend that the teams be made up of more than two firefighters. He urged that more than two firefighters are needed to carry out these operations optimally. Mr. Augenbaugh also spoke about the need for the fire service to get funding, equipment, communications, etc. help regarding incidents on the highways.

Mr. Augenbaugh talked about the need for Firefighter I to be mandatory for all firefighters, volunteer and professional. While some towns refuse to pay for this for their fire department, the State should make it mandatory that they provide this training and education. Mr. Augenbaugh spoke further about the need for more and more training and education – especially given the most recent reports regarding Homeland Security.

Passaic County’s Allen Del Vecchio spoke about the Division of Fire Safety’s need to stay on top of the collection of fees. The Division of Fire Safety is designed to be a self-sufficient body when it comes to funding, and uncollected fees are hurting the Division’s ability to operate at an optimal level. The Division is at a record-low as far as staffing and currently has insufficient manpower. Mr. Del Vecchio talked about how the Registration Unit has been mismanaged in recent years and has a flawed computer system. There are millions of dollars worth of uncollected Life Hazard Use fees. Passaic County has offered its help in collecting these fees and has started to collect them for the State on their own. Mr. Del Vecchio said he wasn’t at today’s meeting to ask questions, he was just there to inform the Commission that they would be meeting with Governor Corzine to speak about this is the near future.
Mrs. Dawn Foote from Budd Lake addressed the Fire Safety Commission regarding the protection of volunteer firefighters. This was a topic that is very near and dear to her, and she submitted requests within the following document on the subject:

“Volunteer Protection

-Every volunteer in the State of New Jersey have a right to a fair and impartial hearing.

-Through Binding Arbitration – mandatory by State Law.

-The volunteer must apply within 30 days of disciplinary action taken against him/her through their Township Clerk for which they volunteer in.

- Arbitration hearing must occur within 30 days of request.

- A binding decision must be issued within 30 days of hearing.

- The Arbitrator’s decision will be binding and the organization and Volunteer must abide by the Arbitrator’s decision.

- Organization – meaning – A Corporation/Organization with a not-for-profit, non-profit, or otherwise who receive Federal, State, or Local funding, donations, and grant money. To also include donations from the community from the citizens who reside in said community for the purpose of funding the Corporation/Organization’s purpose.

- The State of New Jersey will need to make this a mandatory option to all Volunteers.

- The expense should be shared by the organization and volunteer. (This is to prevent frivolous requests.) But the Arbitrator can rule for the organization to pay full expense if found wrong by their actions and reimburse the volunteer for all expenses paid.

- This would apply only to Volunteers of Fire, Rescue, and Emergency Medical Service Organizations who have been disciplined by an Organization and have had privileges removed permanently or temporarily.”

J. Adjournment

Acting-Chairman Intindola asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting was adjourned at 12:42 PM.

* The next meeting of the Fire Safety Commission will be on September 19, 2007 at 10am. It will be held at the Middlesex County Fire Academy in Sayreville, NJ. *